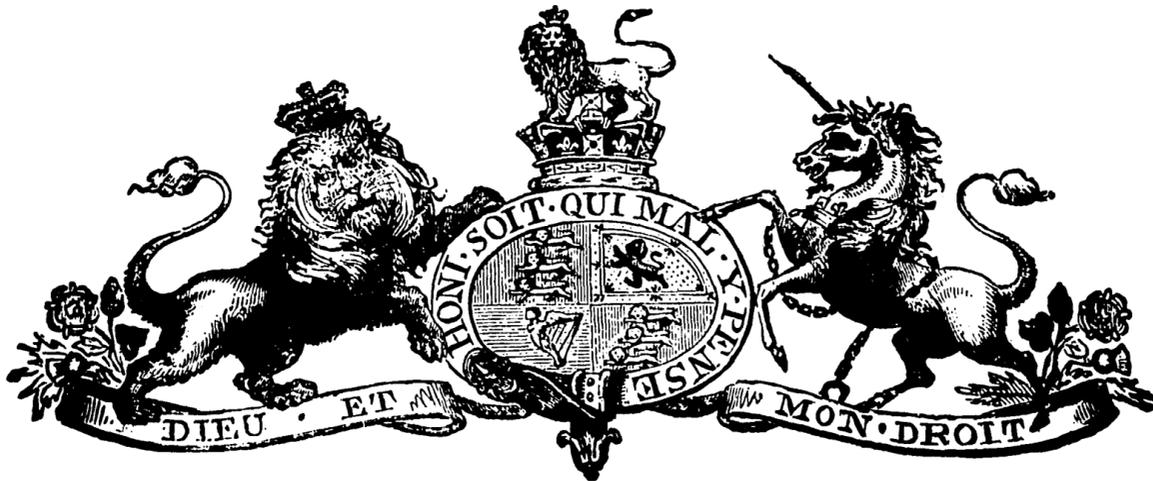


VICTORIA.



ANNO QUINQUAGESIMO QUINTO

VICTORIÆ REGINÆ.

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No. 1208.

An Act to amend the *Supreme Court Act 1890*.

[1st October, 1891.]

**BE** it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may be cited as the *Supreme Court Act 1891*, and shall be construed as one with the *Supreme Court Act 1890*.

Short title and construction.  
No. 1142.

2. (1) Such portion of the Third Schedule to the *Supreme Court Act 1890* as defines the boundaries of the Western Bailiwick shall be repealed, and in lieu thereof the First Part of the Schedule to this Act shall be substituted for and be deemed to be and may be referred to as such portion of the said Third Schedule.

Alteration of boundaries of Western Bailiwick.  
Schedule.

(2) Such portion of the Third Schedule to the *Supreme Court Act 1890* as defines the boundaries of the Midland Bailiwick shall be repealed, and in lieu thereof the Second Part of the Schedule to this Act shall be substituted for and be deemed to be and may be referred to as such portion of the said Third Schedule.

Alteration of boundaries of Midland Bailiwick.

3. (1) Every writ or process directed and delivered to the Sheriff of the Western Bailiwick before the commencement of this Act for execution within such portion of the Western Bailiwick as is by the operation of this Act transferred to the Midland Bailiwick shall and may be

Execution of existing writs.

be executed by the Sheriff of the Midland Bailiwick to whom it shall be transferred as next hereinafter mentioned in like manner to all intents and purposes as if such writ or process had been issued after the commencement of this Act.

(2) The Sheriff of the Western Bailiwick shall transfer the custody and execution of every such writ and process to the Sheriff of the Midland Bailiwick on the order of any judge of the Supreme Court made at the request of the party by whom such writ or process was issued, and such writ or process shall have the same priority as if this Act had not been passed.

Offences causes of  
action and  
recognisances  
before this Act.

4. (1) All offences which have been committed and all causes of action which have accrued before the commencement of this Act in any place within the Western Bailiwick shall be inquired of heard and dealt with as if the boundaries of the said bailiwick had not been altered by this Act.

(2) Every recognisance which has been entered into before the commencement of this Act for the prosecution of any person for any offence and any recognisance for the appearance as well of any witness to give evidence upon any information for any such offence as of any person to answer Her Majesty for or concerning any such offence or to answer generally shall be as obligatory on the parties bound by such recognisance to prosecute appear and give evidence and do all things therein mentioned with reference to an indictment or presentment for any such offence before the judges or justices acting at the place in that behalf named in the said recognisance in like manner as if this Act had not been passed.

(3) All actions or prosecutions pending in any court at the time of the commencement of this Act may be proceeded with and determined as if this Act had not been passed.

Single judge may  
hear certain  
appeals.  
No. 1105 secs. 135  
to 141.

5. (1) Notwithstanding anything contained in section thirty-six of the *Supreme Court Act 1890*, all proceedings by way of appeal or case stated or review from Courts of General Sessions or Courts of Petty Sessions, may be heard and determined by a single Judge of the Supreme Court sitting either in Court or Chambers instead of by the Full Court and there shall be no appeal to the Full Court from any such determination of a single Judge.

(2) For the purpose of hearing and determining such proceedings a single Judge shall have all the powers and authorities conferred by any Act on the Full Court: Provided that any such Judge if he thinks it desirable may refer such proceeding to the Full Court to hear and determine as if this Act had not passed.

Persons arrested  
may be detained in  
most convenient  
gaol irrespective of  
bailiwick.

6. Any person arrested under any process of any Court or for any offence may be taken to such gaol or lock-up as by reason of its nearness or accessibility to the place of arrest is in the opinion of the person making such arrest most convenient, and may be there detained until discharged

discharged or otherwise dealt with in due course of law, notwithstanding that such gaol or lock-up may not be in the same bailiwick as that in which the cause of action accrued or the offence was committed.

7. In section forty-three of the *Supreme Court Act* 1890, for the words "one mile" there shall be substituted the words "five miles."

Offences or causes  
of action on  
boundaries of  
bailiwicks.

## SCHEDULE.

Section 2.

### FIRST PART.

#### WESTERN BAILIWICK.

Commencing on the sea-coast at Curdie's Inlet; thence up the eastern shore of that inlet and Curdie's River to the south boundary of the town of Cobden; thence by that boundary and a line bearing west to Lake Elingamite; thence by the northern shore of that lake to the Elingamite Creek; thence down that creek to the Mount Emu Creek; thence up the Mount Emu Creek to the boundary between the counties of Hampden and Ripon; thence by that boundary bearing west to Fiery Creek; thence up that creek to its source in the Great Dividing Range; thence by that range easterly to the source of the River Avoca; thence down that river to Tyrrell Creek; thence down that creek to Lake Tyrrell; thence by the southern and western shores of that lake to the south boundary of mallee block 26B; thence west by that boundary and the south boundary of block 28A to the east boundary of block 35B; thence north by that boundary to the south-east angle of block 34B; thence west by the south boundaries of blocks 34B, 34A, 36A, 33A, 32A, and 37A to the boundary line between Victoria and South Australia; thence by that boundary south to the sea-coast; and thence by the sea-coast to the point of commencement, including all bays and inlets together with all islands off the portion of the sea-coast above described.

### SECOND PART.

#### MIDLAND BAILIWICK.

Commencing at the junction of the rivers Goulburn and Murray; thence up the first-named river to a point due east of the centre of a road north of allotment 30C parish of Mitchell; thence west by a line and that road to the north-west angle of the said allotment; thence south-westerly by a direct line to the south-east angle of allotment 1 parish of Puckapunyal; thence south-westerly by the south-east boundary of that allotment and of allotment 2 to the south-west angle of the latter allotment; thence south-westerly by a direct line to the south-east angle of allotment 3A of section 5 parish of Tooborac; thence west by a road to the south-east angle of allotment 3 of said section; thence south-westerly by a road to the south angle of allotment 6 of section 7; thence south-westerly by a road to the east angle of allotment 16 of same section; thence north-westerly by a road to a road forming the east boundary of allotment D 2; thence south and south-westerly by that road to the westernmost angle of allotment D 15; thence south-westerly by a road to the east boundary of the parish of Glenhope; thence south-westerly by part of that boundary to the south-east angle of allotment 4 of section C; thence southerly by a road to the north-east angle of allotment 73N parish of Baynton; thence southerly by the eastern boundaries of allotments 73N and 73J to a road; thence south-westerly by that road to a road forming the western boundary of allotment 73G<sup>1</sup>; thence southerly by that road to a road forming the south boundary of allotment 3A; thence easterly by that road to the west boundary of allotment 3 of section 1; thence south and east by the west and south boundaries of that allotment to a road forming the eastern boundary of allotment 4 of said section; thence southerly by that road to the south-east angle of the last-named allotment; thence westerly by a road to the north-west angle of allotment 78J; thence southerly

southerly and easterly by the western and part of the southern boundary of that allotment to the north-west angle of allotment 16B; thence south-east south and east to the south-east angle of allotment 16E; thence south-easterly by a road to the north angle of allotment 3 of section A parish of Langley; thence south-easterly by a road to a road forming the eastern boundary of allotments 1 and 7 of same section to the north-east angle of allotment 8; thence south by the east boundary of that allotment to Big Hill Creek; thence westerly by that creek to the northern angle of allotment 89 parish of Lancefield; thence south-westerly and south-easterly by part of the boundary of that parish to its intersection with the Great Dividing Range; thence by that range westerly to the source of the River Werribee; and thence by the same range to the road forming the eastern boundary of section 6 parish of Dean; thence by that road and by a line bearing north to the creek forming the south boundary of allotment 4 of section B parish of Bullarook; thence up that creek to the eastern boundary of that allotment; thence north by that allotment and allotments 5, 6, 103, and 198 to the road forming the northern boundary of the said last-mentioned allotment; thence by that road bearing north-westerly and westerly to the southern angle of allotment 95; thence by the road forming the south-western boundary of that allotment north-westerly to the north-eastern angle of allotment 24 of section A; thence by the road forming the northern boundary of that allotment westerly to the eastern boundary of the parish of Smeaton; thence north and west by the parish boundary and a line to the north-east angle of the parish of Beckworth; thence south by the eastern boundary of that parish to the road forming the south boundary of allotment 68; thence westerly by that road by the south boundaries of allotments 19, 17, and 16 parish of Caralulup by the north boundary of the parish of Lexton and by a line through the north boundaries of allotments 3, 2, and 1 parish of Lexton to the Bet Bet Creek; thence up that creek to its source in the Great Dividing Range; thence by that range westerly to the source of the River Avoca; thence down that river to Tyrrell Creek; thence down that creek to Lake Tyrrell; thence by the southern and western shores of that lake to the south boundary of mallee block 26B; thence west by that boundary and the south boundary of block 28A to the east boundary of block 35B; thence north by that boundary to the south-east angle of block 34B; thence west by the south boundaries of blocks 34B, 34A, 36A, 33A, 32A, and 37A to the boundary line between Victoria and South Australia; thence north by that boundary to the River Murray aforesaid; and thence up that river to the point of commencement.

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MELBOURNE:

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