



ANNO TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

A.D. 1868-9.

No. 7.

An Act to amend the "Supreme Court Act, 1867."

[Assented to, 30th January, 1869.]

WHEREAS it is expedient to amend the Act No. 8, of 1867, Preamble.
intituled "An Act to confer additional powers upon the
Supreme Court of South Australia, in all branches of its juris-
diction, and for other purposes," by repealing the twentieth and
thirty-first sections thereof, and making other provisions in lieu
thereof—Be it therefore 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. Sections numbered 20 and 31 of the said "Supreme Court Act, Repeal.
1867," shall be, and the same are, hereby repealed, except so far as may
be necessary for supporting the validity of any proceeding, matter, or
thing heretofore lawfully had, done, or commenced thereunder.

2. This Act and the said "Supreme Court Act, 1867," (except in Incorporation.
so far as the same is hereby repealed) shall be read and construed
as forming one Act.

3. It shall be lawful for the Judges of the Supreme Court, or any Judges may sit in
several jurisdictions
at one time.
one of them, or any two of them, to sit and administer justice in any
of the jurisdictions to the said Court belonging, at one and the same
time; and, particularly, the said Court may sit for the trial of civil
causes and issues at the same time that the said Court is sitting as a
Court of Oyer and Terminer and General Gaol Delivery: Proviso.
Provided that
that

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that all matters and questions of law arising in the said Supreme Court, except such as are usually heard and determined at any Civil or Criminal Sittings of the said Court, or any Circuit Court, or in the course of any proceedings before the Primary Judge in Equity, or such questions as before the passing of the said Act a single Judge had or hereafter may have the power of disposing of in Chambers, shall be heard before and determined by at least three of the Judges of the said Court: Provided also that if any one or more of the Judges of the said Court shall be absent from the said Province, or on Circuit, or shall be unable to attend from illness or other unavoidable cause; or if any of such Judges shall be or declare himself to be interested in any such matter or question, or shall declare that he cannot give a judicial decision thereon from having acted as counsel or attorney in the suit or proceeding in which such matter or question arises, or otherwise in connection with the subject matter of such suit or proceeding, then, and in any or either of such cases, the other Judges or Judge, as the case may be, may, notwithstanding anything herein contained, hear and determine all such matters and questions.

Persons making false affidavits guilty of perjury.

4. Any person who shall wilfully give false evidence, or who shall wilfully swear, affirm, or declare falsely in any affidavit, deposition, affirmation, or declaration, taken within the said Province, and made under the provisions of the said "Supreme Court Act, 1867," shall be deemed and taken to be guilty of perjury, and shall and may be indicted and prosecuted for such offence accordingly.

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

F. G. HAMLEY, Governor.