



ANNO QUADRAGESIMO OCTAVO ET QUADRAGESIMO
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VICTORIÆ REGINÆ.

A.D. 1885.

No. 359.

An Act to amend the "Local Courts Act, 1861," and the
Acts incorporated therewith, and for other purposes.

[Assented to, December 11th, 1885.]

WHEREAS the provisions of the "Local Courts Act, 1861," Preamble.
relating to the abolition of Local Courts and of limiting the
jurisdiction of any such Courts heretofore established, have been
found defective, and it is expedient to amend the same—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. In case of the abolition of any Local Court, the Governor
may, by the Proclamation so abolishing it, or by any subsequent one
in the *Government Gazette*, or where, before the passing of this Act,
any Local Court shall have been abolished, the Governor may, by
a Proclamation in such *Gazette*, transfer the records and pending
proceedings of the Court so abolished to any other Local Court,
and such records shall be kept, and such pending proceedings may
be continued, by the Local Court to which they are transferred, in
the name of the Local Court so abolished. In the event of the
defendant, or defendants if more than one, in any cause having
appeared before such transfer, notice of trial shall be given by the
Clerk of the Court to which such proceedings have been trans-
ferred, as if the appearance had been entered in a like cause in such
Local Court on the day of such transfer, and, in the event of any
defendant not having appeared and judgment not having been
signed, the defendant shall be allowed the same time for appearance

Transfer of records
and business of
abolished Court to
any other Local Court.

as

The Local Courts Amendment Act.—1885.

as if the summons had been issued out of the Local Court to which such transfer shall have been made and served personally on the day of such transfer.

Limitation of Local Courts not to affect right of suitors prior to such limitation.

2. In case of the limitation of the jurisdiction of any Local Court, the Governor may, by the Proclamation so limiting it, or by any subsequent one in the *Government Gazette*, direct that such limitation shall not affect the right of suitors to proceed in any actions commenced, or to enforce any judgments recovered when such Local Court exercised the powers of full and limited jurisdiction respectively; and for the purpose only of proceeding in such actions, or enforcing such judgments, the said Local Court shall continue to exercise the powers of a Court of Full Jurisdiction in the same manner as it did before the issue of the Proclamation limiting the same.

Jury rolls compiled in the year 1885 to be in operation for three years, unless Governor otherwise direct.

3. The provisions of "The Jury Act, 1862," relating to the formation of "Jury Lists," the compilation of the "Jurors' Book," and of the "Jurors' Rolls" for Local Courts, requiring the same to be performed annually, shall hereafter, for all purposes, be held to have been complied with, by the formation of such "Jury Lists" and compilation of such "Jurors' Book" and "Jurors' Rolls" respectively in every third year; and the "Jury Lists," "Jurors' Book," and "Jurors' Roll" now in course of formation shall, when completed, remain in operation until the 31st day of December, 1888, or for such less period as the Governor may, by Proclamation in the *Government Gazette*, direct.

Incorporation and short title.

4. This Act shall be incorporated with the "Local Courts Act, 1861," and the Acts amending the same, and with "The Jury Act, 1862," and the Act No. 7 of 1875-6, and may be cited as "The Local Courts Amendment Act, 1885."

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

WILLIAM C. F. ROBINSON, Governor.