



ANNO QUARTO

VICTORIÆ REGINÆ,

No. 1.

By His Excellency SIR JOHN FRANKLIN, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Greek Order of the Redeemer, and a Captain in Her Majesty's Royal Navy, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies, with the advice of the Legislative Council.

AN ACT to enable the Lieutenant-Governor of this Island to appoint a Master of the Supreme Court.

WHEREAS the Office of Master of the Supreme Court hath some time since been abolished by which great inconvenience and delay in the Administration of Justice hath arisen—AND WHEREAS to prevent such delay and inconvenience it is desirable that the Office of Master of the Supreme Court should be re-established—AND WHEREAS by a certain Act of Parliament passed in the second and third year of Her present Majesty intituled *An Act to amend an Act of the ninth year of King George the Fourth to provide for the Administration of Justice in New South Wales and Van Diemen's Land and for the more effectual Government thereof and for other purposes relating thereto and to continue the same until the thirty-first day of December one thousand eight hundred and forty and thenceforward to the end of the then next Session of Parliament* the Legislature of this Island is empowered to make such provision as to them may seem meet for the better administration of justice within the said Island anything in a certain Act of Parliament of the ninth year of His late Majesty King George the Fourth therein recited or in any Charter of Justice or Order in Council made and issued in pursuance thereof or in any law statute or usage to the contrary thereof in any wise notwithstanding—**BE IT THEREFORE ENACTED** by His Excellency SIR JOHN FRANKLIN Knight Commander of the Royal Hanoverian Guelphic Order Knight of the Greek Order of the Redeemer and a Captain in Her Majesty's Royal Navy Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies by and with the advice of the Legislative Council that until the publication within this Island of any Warrant under Her Majesty's Royal Sign Manual appointing some

PREAMBLE.

Master of the
Supreme Court to
be appointed by

the Lieutenant-Governor until Her Majesty by Warrant appoints some person to that office.

person to the Office of Master of the Supreme Court it shall be lawful for the Lieutenant-Governor for the time being from time to time by Warrant under his hand and seal to appoint some person to be Master of the Supreme Court and the person so appointed shall be the Master of the said Supreme Court until the publication of Her Majesty's aforesaid Warrant and shall have and enjoy such reasonable salary and have and exercise such powers and authorities and perform all such duties as might and would be respectively had enjoyed exercised and performed by any Master appointed by Her Majesty's Warrant.

All matters and things already referred to any Judge or Officer of the Supreme Court to be transferred to the Master appointed under this Act.

II. AND BE IT FURTHER ENACTED that all references matters and things already referred to or directed to be done or performed by any Judge or Officer of the said Supreme Court of Van Diemen's Land under any decree order or other proceeding already made or pronounced in any cause matter or other proceeding in equity depending in the said Supreme Court shall immediately on the appointment of any person to be such Master of the said Court under the provisions of this Act be transferred and the same are hereby declared to be transferred to such Master in right of his office by force of this Act and without any decree or order being pronounced by the said Court in any such cause matter or other proceeding and without any petition motion act or deed being presented made or done by any party or parties therein or thereto—AND such Master shall proceed act and report in all such references matters and things by and in his name in right of his office as if the same had been originally referred to or directed to be done by him.

JOHN FRANKLIN.

Passed the Legislative Council this nineteenth day of August, one thousand eight hundred and forty,

RONALD C. GUNN, *Clerk of the Council.*