

Le Royle Vault

Soit baille aux Seigneurs

A cente Bille avecque des amendmens les Seigneurs sont assentus

A ces Amendemens les Communes sant assentez

Whereas it is expedient to make further and more effectual provisions for the administration of justice in His Majesty's colony and settlements at New South Wales and Van Diemen's Land respectively **Be** it therefore **enacted** by the King's Most Excellent Majesty by and with the advice and consent of the Lords spiritual and temporal and Commons in this present parliament assembled and by the authority of the same That it shall be lawful for His Majesty his heirs and successors by charters or letters patent under the Great seal of the United Kingdom of Great Britain and Ireland to erect and establish courts of judicature in New South Wales and Van Diemen's Land respectively which shall be styled "The supreme court of New South Wales and The Supreme Court of Van Diemen's Land" and that each of such courts respectively shall be holden by one judge or chief justice and shall have such ministerial or other officers [PAGE 1 OF ORIGINAL ENDS HERE] as shall be necessary for the administration of justice in the said courts respectively and for the execution of judgments decrees orders and process thereof and the said judges shall from time to time be appointed by his Majesty his heirs and successors and the said ministerial and other officers of the said courts respectively shall from time to time be appointed to and removed from their respective offices in such manner as his Majesty his heirs and successors shall by such charters or letters patent as aforesaid direct and the said judges shall respectively be entitled to receive such reasonable salaries as His Majesty his heirs and successors shall approve and direct which salaries shall be in lieu of all fees or other emoluments whatsoever and it shall and may be lawful for his Majesty his heirs and successors from time to time as occasion may require to remove and displace any such judge or chief justice and in his place and stead to appoint another fit and proper person Provided nevertheless that if it shall at any time hereafter appear to his [PAGE 2 OF ORIGINAL ENDS HERE] Majesty his heirs and successors expedient to augment the number of the judges of either of the courts of judicature aforesaid then and in that case it shall and may be lawful for His Majesty his heirs and

successors from time to time as occasion may require by commission under his or their royal sign manual to augment the number of judges of both or either of the said courts to three and to grant to such additional judges such reasonable salary or salaries as to his Majesty his heirs and successors shall seem meet and which shall be in lieu of all fees and emoluments whatever provided also that in case of the absence or death of any or either of the judges of the said courts in New South Wales or Van Diemen's Land respectively or in case of any such disease or infirmity as shall render any such judge permanently incapable of discharging the duties of his office it shall be lawful for the governor or acting governor of New South Wales to appoint some fit and proper person to act in the place and stead of any judge so being absent dying or becoming permanently incapable [PAGE 3 OF ORIGINAL ENDS HERE] until such judge shall return to the execution of his office or until a successor shall be appointed by his Majesty as the case may require and in the meantime until such judge shall return as aforesaid or a successor shall be appointed and shall actually enter on the discharge of his office in the said courts respectively the person so to be appointed by the governor or acting governor as aforesaid shall have and exercise all the jurisdiction powers and authorities belonging to or vested in the judges of the said courts respectively **And** be it further **enacted** that the said courts respectively shall be courts of record and shall have cognizance of all pleas civil criminal or mixed and jurisdiction in all cases whatsoever as fully and amply to all intents and purposes in New South Wales and Van Diemen's Land respectively and all and every the islands and territories which now are or hereafter may be subject to or dependent upon the respective governments thereof as His Majesty's courts of King's bench Common Pleas and Exchequer at Westminster or either of [PAGE 4 OF ORIGINAL ENDS HERE] them lawfully have or hath in England and the said courts respectively shall also be at all times courts of oyer and terminer and general gaol delivery in and for New South Wales and Van Diemen's Land and the dependencies thereof respectively and the said judges so appointed shall have and exercise such and the like jurisdiction and authority in New South Wales and Van Diemen's Land and the dependencies thereof respectively as the judges of the courts of King's Bench Common Pleas and Exchequer in England or any of them lawfully have and exercise and as shall be necessary for carrying into effect the several jurisdictions powers and authorities committed to the said courts respectively **And** be it further **enacted** that the said supreme courts in New South Wales and Van Diemen's Land respectively shall and may inquire of hear and determine all treasons

piracies felonies robberies murders conspiracies and other offences of what nature or kind soever committed or that shall be committed upon the sea or in any haven river creek or place where the admiral or admirals have power [PAGE 5 OF ORIGINAL ENDS HERE] authority or jurisdiction or committed or that shall be committed in the islands of New Zealand Otabeite or any other island country or place situate in the Indian or Pacific Oceans and not subject to his Majesty or to any European state or power by the master or crew of any British ship or vessel or any of them or by any British subject sailing in or belonging to or that shall have sailed in or belonged to and have quitted any British ship or vessel to live in any part of the said islands countries or places or that shall be there living and that all persons convicted of any of the offences so to be inquired of heard and determined in the said courts respectively shall be subject and liable to and shall suffer all such and the same pains penalties and forfeitures as by any law or laws now in force persons convicted of the same respectively would be subject and liable to in case the same were respectively inquired of tried heard determined and adjudged in England any law statute or usage to the contrary notwithstanding **And** be it further **enacted** that all crimes misdemeanors [PAGE 6 OF ORIGINAL ENDS HERE] and offences cognizable in the said courts respectively shall be prosecuted by information in the name of his Majesty's attorney general or other officer duly appointed for such purpose by the governor or acting governor aforesaid and all issue of fact joined on every such information shall be tried by the respective judges of the said courts and jury of seven commissioned officers of His Majesty's sea or land forces whether on full or half pay and such jurors shall from time to time be nominated for the purpose aforesaid by the governor or acting governor of New South Wales or Van Diemen's Land respectively for the time being and the said officers shall severally be liable to be challenged or objected to upon the special ground of direct interest or affection to be specified in open court at the time of challenge and in case of such challenge or objection being allowed by the judges of the said respective courts the officer or officers so challenged or objected to shall be succeeded by another such officer or officers as aforesaid who shall in like manner be nominated by the governor [PAGE 7 OF ORIGINAL ENDS HERE] or acting governor for the time being as aforesaid and be liable in the same manner to challenge or objection until seven officers shall appear duly qualified for the trial of any offender in the said courts respectively and the said officers shall thereupon severally take and repeat in open court the same oath as is taken by petit jurors impannelled for the trial of any crime or misdemeanor in any court of record in

England and shall return their verdict in open court by the mouth of the senior officer serving on such jury and the proceedings of the said courts respectively shall be under the controul and direction of the respective judges thereof and all matters of law arising in the course of trial shall be determined by such judges respectively and the judgment of the said courts respectively shall be pronounced by them in the manner by law established on the trial of persons indicted in any court of record in England Provided nevertheless that if at the time of the meeting of the supreme court of Van Diemen's Land there should not be seven commissioned officers of his Majesty's sea or land forces within the distance [PAGE 8 OF ORIGINAL ENDS HERE] of fifty miles from the place of holding such court or in case of the sickness of any such officers the person administering the government of Van Diemen's Land shall nominate such magistrates of the said island or of any district or county of the said island as to him shall seem meet to act as jurors on the trials of such crimes misdemeanors or offences as aforesaid together with such and so many commissioned officers as aforesaid as may then be within such distance as aforesaid and competent to act upon such jury so as that there may in every case be a complete jury of seven men for the trial of the said crimes misdemeanors and offences and the magistrates so to be appointed by the person administering the government of Van Diemen's Land shall be liable to be challenged or objected to in such and the same manner and shall if necessary be succeeded by some other magistrates to be nominated by the person administering the government of the said island and shall severally take and repeat such oaths as is herein before directed with respect [PAGE 9 OF ORIGINAL ENDS HERE] to the said commissioned officers of his Majesty's sea and land forces **And** be it further **enacted** that it shall be lawful for his Majesty his heirs and successors by his or their instruction under his or their royal sign manual at any time hereafter to authorize the governor or acting governor of New South Wales for the time being to convene a court or courts as often as occasion may require for the trial of all crimes and misdemeanors committed within any place or places in New South Wales or Van Diemen's Land or the dependencies thereof which by any order in council to be for that purpose issued as after mentioned shall be appointed for the reception of transported felons and other offenders which court or courts shall be of record and shall have and exercise all the powers and authorities incident and belonging to a court of record and shall consist respectively of a judge to be appointed by his Majesty his heirs and successors and such and so many proper persons not fewer than three or more than five as shall be appointed for such purpose by such

governor or acting governor by commission to be duly [PAGE 10 OF ORIGINAL ENDS HERE] made and executed under his hand and seal and such persons shall be sworn in such and the like forum and the verdict of the whole of such persons shall be taken and recorded in such and the like manner and the proceedings of the said last mentioned court or courts shall be superintended and the judgments thereof pronounced by the judge or judges presiding at every trial according to such and the like law and usage as is herein before directed with respect to the trials of persons prosecuted before the said supreme courts of judicature of New South Wales and Van Diemen's Land respectively and in all cases where the offence charged against any person indicted before any such court or courts so to be established in any such place or places as aforesaid shall not be punishable with death the judge or judges of the said court or courts respectively shall and he and they is and are hereby authorized to adjudge the offender to any corporal punishment not extending to life or limb as the circumstances of the case may require provided always that the particulars and grounds of every such sentence shall in all cases [PAGE 11 OF ORIGINAL ENDS HERE] be made known by the judge or judges to the said last-mentioned court or courts respectively to the governor or acting governor of New South Wales or Van Diemen's Land as the case may be for his approbation **And** be it further **enacted** that in any action at law to be brought in the said supreme courts of New South Wales and Van Diemen's Land respectively whenever the parties plaintiff and defendant in any such action shall join issue on any matter of fact the trial of such issue or issues shall be by the chief judge of the said courts respectively and by two assessors being magistrates or justices of the peace in and for the said colony or some county or district thereof and the said magistrates shall be nominated from time to time for the purpose aforesaid by the governor or acting governor for the time being of New South Wales and Van Diemen's Land respectively and shall be liable to challenge upon such and the same grounds as may lawfully be alleged as causes of challenge against any person impannelled as a juror for the trial of any issue of fact joined between the parties in any action depending in any of his Majesty's court of records at [PAGE 12 OF ORIGINAL ENDS HERE] Westminster and such challenges shall be made in open court and decided by the judges of the said supreme courts respectively and in case of any such challenge shall be allowed by the said judges respectively another justice of the peace shall be nominated in manner aforesaid in the place of the justice against whom such challenge shall have been so allowed who may in like manner be challenged until two justices shall appear competent to act as assessors of

the court upon the trial of the said issue or issues of fact and the said two assessors shall thereupon severally take and repeat in open court such and the same oath as is taken by any juror sworn upon the trial of any issue of fact in any of his Majesty's said courts of record at Westminster and the judges of the said supreme courts respectively shall together with the said two assessors give their verdict upon every such issue or issues of fact as aforesaid and in case any such judge and assessors cannot agree upon such verdict the verdict of the major part of them shall be taken entered and recorded as the verdict of all provided always that if the parties plaintiff and defendant in such action [PAGE 13 OF ORIGINAL ENDS HERE] shall be desirous of having any such issue or issues of fact as aforesaid tried by a jury of twelve men and shall concur in an application for that purpose to the judges of said supreme courts respectively then and in every such case such issue or issues of fact shall be tried by a jury under the direction of the said judges respectively **And** be it further **enacted** that no person shall be deemed competent to serve upon any jury aforesaid who shall not have and possess a freehold estate of fifty acres or more of cleared land or a freehold dwelling house or tenement of the value of three hundred pounds sterling or upwards situate in some part of New South Wales or Van Diemen's Land respectively **And** be it further **enacted** that it shall and may be lawful for His Majesty his heirs and successors by any order to be by him or them issued with the advice of his or their privy council at any time or times hereafter to cause the trial of jury to be further introduced and applied in such parts of New South Wales and Van Diemen's Land and their respective dependencies [PAGE 14 OF ORIGINAL ENDS HERE] at such time in such cases and with under and subject to such rules modifications and limitations in respect thereof as to his Majesty his heirs and successors shall seem meet and as shall be specified in any such order in council in that behalf **And** be it further **enacted** that the said supreme courts respectively shall be courts of equity in New South Wales and Van Diemen's Land and the dependencies thereof respectively and shall have power and authority to administer justice and to do exercise and perform all such acts matters and things necessary for the due execution of such equitable jurisdiction as the Lord High Chancellor of Great Britain can or lawfully may within England **And** be it further **enacted** that the said supreme courts respectively shall be courts of ecclesiastical jurisdiction and shall have full power and authority to administer and execute within New South Wales and Van Diemen's Land and the dependencies thereof respectively such ecclesiastical jurisdiction and authority

as shall be committed to the said supreme courts respectively by his Majesty's said charters or letters patent provided that in all cases where the executor [PAGE 15 OF ORIGINAL ENDS HERE] or executors of any will upon being duly cited shall refute or neglect to take out probate or where the next of kin shall be absent and the effects of the deceased shall appear to the said judges respectively to be exposed and liable to waste it shall be lawful for the said judges respectively to authorize and empower the registrar or other ministerial officer of the said supreme courts respectively to collect such effects and hold or deposit or invest the same in such manner and place or upon such security and subject to such orders and directions as shall be made either as applicable to all such cases or specially in any case by the said judges in respect of the custody control or disposal thereof **And** be it further **enacted** that in all cases where the process of the said supreme courts respectively hath been sued out against any defendant or defendants in any plaint or action entered in the said supreme courts respectively for debt upon speciality or bill or note under hand or book debt upon a concessit solvere and a non est inventus hath been returned it shall be lawful for the said supreme courts respectively to issue an attachment [PAGE 16 OF ORIGINAL ENDS HERE] thereby commanding the sheriff or provost martial of New South Wales or Van Diemen's Land respectively or his lawful deputy to attach the monies goods chattels or debts of any such defendant or defendants in the hands of any person or persons whomsoever and notwithstanding any such person shall be the wife or attorney of the defendant aforesaid in whose possession or power such monies goods and chattels may be or from whom such debts may be due and also to require such person or persons to appear at a day certain of the next term or meeting of the said Supreme Courts respectively to show cause why the said monies goods chattels or debts or so much thereof as will satisfy the debt demanded should not be delivered to the plaintiff or plaintiffs in such action at which day if the said person or persons shall confess or it shall otherwise be made to appear to the satisfaction of the said supreme courts respectively that the said monies goods chattels or debts do properly belong to the said defendant or defendants against whom process hath been returned aforesaid and if the said plaintiff or plaintiffs their his or her agent or attorney do swear [PAGE 17 OF ORIGINAL ENDS HERE] in open court that the debt so demanded is due and that no part thereof hath been satisfied and do also give security in double the debt demanded to restore with treble damages the same or so much thereof as shall afterwards be disproved then and in all such cases the plaintiff or plaintiffs shall have judgment for the said debt demanded and execution

against the said monies goods chattels and debts so attached provided always that if the said defendant or defendants or any person as attorney to the said defendant or defendants shall appear and put in bail to answer the action and satisfy the judgment then and in all such cases the said attachment shall be dissolved and proceedings had according to the usual course in the said supreme courts respectively and if any person or persons as aforesaid in whole possession or power such money goods chattels or debts shall be so attached shall dispose of the same or any part thereof before the said debt demanded shall be satisfied or the said attachment dissolved then and in every such case the said person or persons for such their default shall be liable to make satisfaction to the plaintiff or plaintiffs out of his her or their proper estates [PAGE 18 OF ORIGINAL ENDS HERE] and in case no such satisfaction shall be made shall be liable to be dealt with as for contempt of the said supreme courts respectively **And** be it further **enacted** that on the trial of every issue of fact joined between the parties in any action at law by this act made cognizable in the said supreme courts where the sum or matter at issue shall exceed the amount or value of five hundred pounds sterling and where such trial shall not be by a jury the judges of the said supreme courts respectively shall cause the evidence to be taken down in writing by the clerk or other proper officer of the said supreme courts respectively and repeated in open court to the witnesses respectively giving the same and the evidence so taken and repeated shall be entered upon the proceedings of the court and be of record and that no objection shall be allowed to the competency of witnesses of sufficient age and discretion except for interest in the event of the trial and in every case in which any appeal shall be made or allowed under the provisions of this act copies of all documents and papers which shall have been produced and given in evidence shall be certified [PAGE 19 OF ORIGINAL ENDS HERE] by the said clerk or other proper officer of the court to be appointed for that purpose as authentic and also copies of any documents and papers which shall have been produced and tendered in evidence and rejected shall if required by the party producing the same be in like manner authenticated but marked by such officer as aforesaid as rejected in order that all such copies may be annexed to the record as part thereof in case of appeal **And** be it further **enacted** that it shall be lawful for the plaintiff or plaintiffs defendant or defendants against whom any judgment decree order or sentence of the said supreme courts respectively shall be given for or in respect of any sum or matter at issue above the amount or value of five hundred pounds sterling to appeal therefrom to the court of appeals hereinafter mentioned and the party or

parties appealing from such judgment decree order or sentence shall within fourteen days from the passing thereof give notice to the adverse party or parties of such appeal and within twenty-eight days from and after such judgment decree order or sentence enter into sufficient security to be approved by the judges of the said [PAGE 20 OF ORIGINAL ENDS HERE] supreme courts respectively to satisfy or perform the said judgment decree order or sentence in case the same shall be affirmed or the appeal dismissed together with such further costs as shall be awarded thereon and in all cases of appeal where notice shall be given and security perfected as aforesaid execution shall be stayed and not otherwise **And** be it further **enacted** that it shall be lawful for the judges of either of the supreme courts aforesaid on the application of either of the parties plaintiff or defendant at or before the hearing or trial of any suit or action commenced in the said supreme courts respectively to permit an appeal to the said court of appeals from any judgment decree order or sentence of the said supreme courts respectively although the sum or matter at issue for or in respect of which such judgment decree order or sentence shall or may be given made or pronounced shall not amount to or be of the value of five hundred pounds sterling in case it shall be made to appear to the satisfaction of the said judges of the said supreme courts respectively that such judgment decree order or sentence [PAGE 21 OF ORIGINAL ENDS HERE] may be of peculiar importance or may affect directly or indirectly the decision of any other question or questions of peculiar importance or involve directly or indirectly any claim demand or question to or respecting property or any civil right amounting to or of the value of five hundred pounds sterling and in all such cases where the trial shall not be by a jury the evidence given before the said supreme courts respectively shall be taken down in writing and repeated to the witnesses giving the same and such evidence shall be of record and copies shall be made and authenticated of all documents and papers produced in such manner as before directed respecting the trial of issues of fact where the sum or matter at issue shall exceed the amount or value of five hundred pounds sterling **And** be it further **enacted** that the governor or acting governor of New South Wales shall from time to time hold a court to be called “The Court of Appeals of the Colony of New South Wales” which court shall have power and authority in all such cases as aforesaid to receive and hear appeals from the judgments decrees orders and sentences of the supreme [PAGE 22 OF ORIGINAL ENDS HERE] courts of New South Wales and Van Diemen’s Land respectively and to affirm alter or reserve the said judgments decrees orders or sentences in whole or in part or to dismiss the

said appeals with costs or otherwise as may be just provided always that the governor or acting governor aforesaid shall be assisted in the hearing and determining of all appeals from the supreme court of Van Diemen's Land by the chief justice of the supreme court of New South Wales provided also that the record of every judgment decree order or sentence to be pronounced by the said court of appeals shall by such court be remitted to the supreme court whence the appeal was brought to be by such supreme court carried into effect according to law provided also that upon any appeal to be brought to the said court of appeals from any judgment of either of the said supreme courts founded upon the verdict of a jury of twelve men the said court of appeals shall not reserve alter or inquire into the said judgment except only for error of law apparent upon the record **And** be it further **enacted** that it shall and may be [PAGE 23 OF ORIGINAL ENDS HERE] lawful for His Majesty by the said charters or letters patent respectively to allow any person or persons feeling aggrieved by any judgment decree order or sentence of the said court of appeals to appeal therefrom to His Majesty in council in such manner within such time and under and subject to such rules regulations and limitations as His Majesty by any such charters or letters patent respectively shall appoint and prescribe **And** be it further **enacted** that it shall be lawful for His Majesty his heirs and successors by his said charters or letters patent or by any order in council at any time hereafter to make and prescribe or to authorize and empower the judges of the said supreme courts in New South Wales and Van Diemen's Land respectively under such limitations as his Majesty shall deem proper to make and prescribe such rules and orders touching and concerning the time and place of holding the said courts respectively the forms and manner of proceedings and the practice and pleadings upon all indictments informations actions suits and other [PAGE 24 OF ORIGINAL ENDS HERE] matters to be therein brought the appointing of commissioners to take bail and examine witnesses the taking examinations of witnesses de bene esse and allowing the same as evidence the granting of probates of wills and letters of administration the proceedings of the sheriff provost martial and other ministerial officers the process of the said courts and the mode of executing the same the impanelling of juries the admission of attornies solicitors and barristers the fees poundage or perquisites to be lawfully demanded by any officer attorney or solicitor in the said courts respectively and all other matters and things whatsoever as to his Majesty his heirs and successors shall seem meet for the conduct of business in the said courts respectively and as may be adapted to the circumstances and condition of the said colony and such rules and

orders from time to time to alter amend or revoke as to his Majesty his heirs and successors shall seem requisite and all rules and orders so to be established by any such order or orders in council as aforesaid shall be of such and the [PAGE 25 OF ORIGINAL ENDS HERE] like force and effect as if the same had been inserted in this present act **And** be it further **enacted** that the governor or acting governor of New South Wales and Van Diemen's Land and the dependencies thereof respectively upon the arrival in the said colony of his Majesty's charter or letters patent for the establishment by virtue of this act of the supreme court of New South Wales and Van Diemen's Land respectively shall by proclamation notify to the inhabitants of the said colony the time when the said courts respectively are to be opened and the judges thereof respectively are to assume and enter upon the exercise of their jurisdiction therein and when and so soon as the said courts shall actually have so assumed and entered upon the exercise of such jurisdiction then and from thenceforth the act made and passed in the twenty seventh year of his later Majesty's reign intituled an Act to enable his Majesty to establish a court of Criminal Judicature on the Eastern Coast of New South Wales and the parts adjacent shall cease to have effect and determine and the courts of criminal and civil jurisdiction in New South Wales and [PAGE 26 OF ORIGINAL ENDS HERE] its dependencies respectively instituted by his Majesty's letters patent under the great seal and bearing date respectively the second day of April and the fourth day of February in the twenty fourth and fifty fourth years of his late Majesty's reign shall likewise cease and determine and every suit or complaint which shall at that time be depending in the said courts respectively shall and may be proceeded upon in the said supreme courts of New South Wales or Van Diemen's Land respectively in the same manner as any suit or complaint originally commenced or brought in such courts respectively under this act and as if such suit or complaint had been originally brought or commenced in such courts respectively and all the records muniments and proceedings whatsoever of and belonging to the said courts of criminal and civil jurisdiction respectively shall from and immediately after the opening of the supreme courts respectively instituted under this [PAGE 27 OF ORIGINAL ENDS HERE] act be delivered over and deposited for safe custody in the said supreme courts respectively to which all parties concerned shall and may have recourse as to the other records of the said courts provided that until the said Supreme Courts to be established by virtue of this act shall have actually assumed and entered upon the exercise of their jurisdiction in the said colony the said courts of criminal and civil jurisdiction now existing within New South

Wales and Van Diemen's Land and the dependencies thereof shall enjoy and exercise all powers authorities and jurisdictions lawfully vested in them by the said several letters patent as fully and effectually to all intents and purposes as if this act had not been made **And** be it further **enacted** that courts of general or quarter sessions shall be holden in New South Wales and Van Diemen's Land and their dependencies at such times and places as the governor or acting governor of New South Wales shall by his proclamation appoint and the said courts of sessions respectively shall have power and authority to take cognizance of all matters and things cognizable in courts of general or quarter sessions [PAGE 28 OF ORIGINAL ENDS HERE] in England so far as the circumstances and condition of the said colony shall require and admit and the said courts shall have power and authority in a summary way to take cognizance of all crimes and misdemeanors not punishable with death which have been or shall be committed by any felons or other offenders who have been or shall be transported to New South Wales or its dependencies and whose sentences shall not have expired or been remitted and also of all crimes and misdemeanors committed by any such felons or offenders on board of any ship or vessel during the voyage to New South Wales or the dependencies thereof and the same to punish if such courts shall see fit by extending the time for which such persons may have been originally transported or by transportation to such other part of New South Wales or the dependencies thereof as shall or may be appointed for the reception of offenders as hereafter mentioned and as the case may require and by hard labour for any time not exceeding three years and also in a like summary way to take cognizance of all complaints made against any such felons or offenders for drunkenness [PAGE 29 OF ORIGINAL ENDS HERE] disobedience of orders neglect of work absconding or desertion abusive language to their his or her employers or overseers insubordination or other turbulent or disorderly conduct and all such offences to punish by whipping or other corporal punishment not extending to privation of life or member or by removal to some other part or place in the said colony or its dependencies and hard labour according to the nature and degree of such offences respectively provided that a return of all sentences imposed by the said court be made to such governor or acting governor aforesaid and shall be by him within six months transmitted to one of His Majesty's principal Secretaries of State in England **And** be it further **enacted** that it shall be lawful for the governor or acting governor of New South Wales from time to time to institute courts of civil jurisdiction to be called "Courts of Requests" in different parts of New South Wales and Van

Diemens Land or the dependencies thereof as occasion shall require with full power and authority to hear and determine in a summary way all actions plaints and suits for the payment or recovery of any [PAGE 30 OF ORIGINAL ENDS HERE] debt damages or matter not exceeding ten pounds sterling except the matter in question shall relate to the title to any lands tenements or hereditaments or to the taking or demanding of any duty payable to the King or to any fee of office annual rent or other such matter where rights in future may be bound or to any general right or duty and to award costs therein and the determination and award of such courts of requests in all cases within the jurisdiction thereof shall be final and shall be carried into execution by attachment and sale of the goods and effects or by corporal arrest of the party or parties against whom such determination or award shall be made and each of the said courts of requests respectively shall be holden by a commissioner to be appointed by the governor or acting governor aforesaid for the time being with such salary as the said governor or acting governor with the approbation of his Majesty shall think proper to appoint which salary shall be in lieu of all fees profits or emoluments whatever in respect of the office of such commissioner as aforesaid **And** be it further **enacted** that the governor or acting [PAGE 31 OF ORIGINAL ENDS HERE] governor of New South Wales shall and may with the assistance of the chief justice of the supreme court of New South Wales from time to time settle such forms of process and such rules of practice and proceeding for the conduct and dispatch of business in the said courts of sessions and requests respectively and appoint such reasonable fees to be taken as shall seem necessary and proper for expediting the business of the said courts with most convenience and least expence to the parties concerned therein and such rules and forms shall be followed and such fees shall be paid accordingly and no other **And** whereas it is expedient to make provision for an equal distribution of the effects of insolvent debtors in New South Wales and Van Diemen's Land and the dependencies thereof among their creditors **Be** it further **enacted** that as often as any writ or other process for the recovery of any debt or sum due shall be issued by the supreme courts aforesaid or either of them against any person or persons residing or carrying on business in New South Wales or Van Diemen's Land or any place within the respective dependencies thereof and it shall be made to appear to the said courts [PAGE 32 OF ORIGINAL ENDS HERE] respectively at the return of such writ or process that the person or persons against whom the same shall have been issued is or are unable to pay twenty shillings in the pound to all his her or their creditors it shall be lawful for the judges of the said courts respectively to

cause the person or persons against whom the same shall have been issued together with all his her or their creditors to be summoned by public notice to attend the said court on a certain future day and in the meantime if it shall appear necessary to the judges of the said courts respectively to appoint one or more of the said creditors as provisional trustee or trustees to discover collect and receive the estates and effects of such person or persons so appearing to be insolvent subject to the orders and directions of the said judges respectively and if after due examination of the person or persons against whom process shall have been issued as aforesaid or if such person or persons shall abscond or fail to attend the said courts respectively pursuant to such summons as aforesaid it shall be made to appear to the satisfaction of the said judges respectively that such person or persons is or are insolvent it shall be lawful for [PAGE 33 OF ORIGINAL ENDS HERE] the said courts respectively to declare such person or persons insolvent accordingly and immediately to take order for discovering collecting and selling the estates debts and effects of such insolvent or insolvents and distributing the produce thereof equally and rateably amongst all his her or their creditors and for that purpose to authorize any two or more creditors of the said insolvent or insolvents or any other fit and proper person or persons to be for that purpose nominated by the said courts respectively to act as and be trustees for the benefit of the creditors of such insolvent or insolvents and the said courts respectively shall from time to time make such orders as shall be just for better discovering collecting selling and realizing the estates debts and effects of the person or persons so declared insolvent and for making a rateable distribution thereof amongst all the creditors of such insolvent person or persons or if occasion should require for vesting the same or any parts thereof in the public funds or securities in England until such distribution can be made **And** be it further **enacted** that if such insolvent person or persons shall make a full and true disclosure discovery and surrender [PAGE 34 OF ORIGINAL ENDS HERE] of all his her or their estates goods debts and effects and shall conform to the orders and directions of the said judges of the said supreme courts respectively in respect thereof the same shall and may with the consent in writing under the hands of the major part in number and value of the creditors of such insolvent or insolvents be certified by the judges under the seal of the said courts respectively and such certificate may be pleaded and shall be a bar to all suits and complaints for debts and contracts for payment of money due and entered into by such person or persons prior to the time of his her or their being declared insolvent as aforesaid and if any person or persons so declared insolvent as aforesaid

shall fail to make a true disclosure and discovery of all his her or their estate or estates and effects or shall otherwise refuse to conform to the orders or directions of the said judges of the said courts respectively it shall be lawful for the said courts respectively to cause such person or persons to be arrested and imprisoned until he she or they shall make such disclosure and discovery and in all respects conform to such orders and [PAGE 35 OF ORIGINAL ENDS HERE] directions provided always that no person or persons who shall be declared insolvent as aforesaid a second time shall be entitled to any such certificate unless his her or their estate or estates and effects when collected and realized shall be sufficient to pay at least fifteen shillings in the pound to all his her or their creditors and that no person or persons who shall be declared insolvent as aforesaid a third time or oftener shall be entitled to any such certificate **And** whereas it may be necessary to make laws and ordinances for the welfare and good government of the said colony of New South Wales and the dependencies thereof the occasions of which cannot be foreseen nor without much delay and inconvenience be provided for without entrusting that authority for a certain time and under proper restrictions to persons resident there and whereas it is not at present expedient to call a legislative assembly in the said colony **Be** it therefore **enacted** that it shall and may be lawful for his Majesty his heirs and successors by warrant under his or their sign manual to constitute and appoint a council to consist of such persons resident in the [PAGE 36 OF ORIGINAL ENDS HERE] said colony not exceeding seven nor less than five as his Majesty his heirs and successors shall be pleased to appoint and upon the death removal or absence of any of the members of the said council in like manner to constitute and appoint such and so many other person or persons as shall be necessary to supply the vacancy or vacancies and the governor or acting governor for the time being of the said colony with the advice of the council to be appointed as aforesaid or the major part of them shall have power and authority to make laws and ordinances for the peace welfare and good government of the said colony such laws and ordinances not being repugnant to this act or to any charter or letters patent or order in council which may be issued in pursuance hereof or to the laws of England but consistent with such laws so far as the circumstances of the said colony will admit provided always that no law or ordinance shall be passed or made unless the same shall first by the said governor or acting governor be laid before the said council at a meeting to be for that purpose convened by a written summons under the hand of such governor or acting [PAGE 37 OF ORIGINAL ENDS HERE] governor to be delivered to or left at the usual place of abode of

the members of such council respectively provided also that in case all or the major part of the members of the said council shall dissent from any law or ordinance proposed by such governor or acting governor at any such meeting as aforesaid the members of the said council so dissenting shall enter upon the minutes of such council the grounds and reasons of such their dissent and in every such case such proposed law or ordinance shall not pass into a law provided nevertheless that if it shall appear to the governor or acting governor for the time being of the said colony that such proposed law or ordinance is essential to the peace and safety thereof and cannot without extreme injury to the welfare and good government of the said colony be rejected then and in every such case if any one or more member or members of the said council shall assent to such proposed law the said Governor shall enter upon the minutes of the council the grounds and reasons of such his opinion and in every such case and until the pleasure of his Majesty his heirs and successors shall be made [PAGE 38 OF ORIGINAL ENDS HERE] known in the said colony respecting the same such law or ordinance shall be of full force and effect in the said colony and the dependencies thereof any such dissent as aforesaid of majority of the members of the said council notwithstanding

Provided always and be it further **enacted** that in case any rebellion or insurrection shall have actually broken out in the said colony or if in the judgement of the governor or acting governor thereof for the time being there shall be good and sufficient cause to apprehend that any such rebellion or insurrection is about forthwith to break out therein then and in every such case it shall and may be lawful for such governor or acting governor to promulgate and enforce within the said colony and its dependencies any law or ordinance which may be necessary for suppressing or preventing any such rebellion or insurrection as aforesaid although every member of the said council should dissent from any such law or

ordinance **Provided** also and be it further **enacted** that it shall and may be lawful for his Majesty his heirs and successors by any order to be by him or them issued by and with the advice [PAGE 39 OF ORIGINAL ENDS HERE] of his or their privy council to make and establish any law or ordinance which may have been previously laid before and dissented from by the whole or the major part of the said council in case such law or ordinance shall appear to his Majesty his heirs and successors to be necessary for the better government of the

said colony and its dependencies **Provided** also and be it further **enacted** that the said governor and council shall not impose any tax or duty upon any ship or vessel trading with the said colony or the dependencies thereof or upon any goods wares and merchandize

imported into or exported from the same nor any other tax or duty except only such taxes or duties as it may be necessary to levy for local purposes and the purposes for which every such tax or duty may be so imposed and to or towards which the amount thereof is to be appropriated and applied shall be distinctly and particularly stated in the body of every law or ordinance imposing every such tax or duty **And** whereas an Act of parliament was made in the fifty ninth year of the reign of his late Majesty King George the Third intituled “An Act to stay [PAGE 40 OF ORIGINAL ENDS HERE] proceedings against any governor or other person concerned in imposing and levying duties in New South Wales to continue until the first day of January one thousand eight hundred and twenty one certain duties and to empower the said governor to levy a duty on spirits made in the said colony” and whereas the said act hath been continued from time to time by divers acts of parliament and was varied and altered by an act passed in the third year of the reign of His present Majesty intituled “An Act to continue until the first day of January one thousand eight hundred and twenty four an act passed in the fifty ninth year of his late Majesty relating to imposing and levying duties in New South Wales to authorize the imposing and levying other duties on goods imported into the said colony and to suspend for ten years the payment of duty on the importation of certain goods the produce of New South Wales” and it is expedient that the said act of the fifty ninth year of the reign of his said late Majesty King George the Third should be made perpetual and that all the powers and authorities thereby or by the [PAGE 41 OF ORIGINAL ENDS HERE] said act of the third year of the reign of his present Majesty committed to the governor or other person administering the government of New South Wales should be continued as fully as if the present act had not been made **Be** it therefore **enacted** by the authority aforesaid that the said act passed in the fifty ninth year of his said late Majesty King George the Third shall be and the same is hereby made perpetual and that nothing in this act contained shall extend or be construed to extend to repeal alter or affect the said last mentioned act or the said act passed in the third year of the reign of his present Majesty any thing herein contained to the contrary in anywise notwithstanding **And** be it further **enacted** that no law or ordinance shall by the said governor or acting governor be laid before the said council for their advice or approbation or be passed into a law unless a copy thereof shall have been first laid before the chief justice of the supreme court of New South Wales and unless such chief justice shall have transmitted to the said governor or acting governor a certificate under the hand of such [PAGE 42 OF ORIGINAL ENDS HERE] chief justice that such proposed law is

not repugnant to the laws of England but is consistent with such laws so far as the circumstances of the said colony will admit **And** be it further **enacted** that every law or ordinance so to be made as aforesaid shall within six months from the date thereof be transmitted by the governor or acting governor for the time being of the said colony to one of his Majesty's principal secretaries of state for the time being and that it shall and may be lawful for his Majesty his heirs and successors from time to time as her or they shall think necessary to signify through one of his or their principal secretaries of state his or their approbation or disallowance of all such laws or ordinances and that from and immediately after the time when such disallowance shall be published in the said colony by a proclamation to be for that purpose issued by the said governor or acting governor all such laws and ordinances shall be null and void but in case his Majesty his heirs and successors shall not within the space of three years from the making of such laws and ordinances signify his or their disapprobation or disallowance [PAGE 43 OF ORIGINAL ENDS HERE] thereof as aforesaid then and in that case all such laws and ordinances shall be valid and effectual and have full force **Provided** also and be it further **enacted** that all laws and ordinances to be made in the said colony and all orders to be made by his Majesty his heirs and successors with the advice of his and their privy council in pursuance of this act shall be laid before both houses of parliament within six weeks at latest next after the commencement of each session **And** be it further **enacted** that the members for the time being of the said council shall by virtue of such their office be justices of the peace in and for the whole of the said colony of New South Wales and its dependencies and shall within the said colony take precedence of all persons next after the governor or acting governor thereof and the judges of the said supreme courts and the commander in chief for the time being of his Majesty's forces with the said colony and its dependencies and the said members of the council shall before they enter upon and discharge the duties of such their office severally take and subscribe before and in the presence of the governor or [PAGE 44 OF ORIGINAL ENDS HERE] acting governor thereof for the time being an oath in the following words that is to say

"I do swear that I will to the best of my judgment and ability faithfully advise and assist the governor or acting governor of the colony of New South Wales and its dependencies in all such matters as shall be brought under

my consideration as a member of the council of the said colony and I swear that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be so brought under my consideration or which shall become known to me as a member of the said council

So help me God”

And be it further **enacted** that in case of the death absence or permanent incapacity of any member or members of the said legislative council the governor or acting governor for the time being of the said colony shall and may appoint some fit and proper person to act in the place and stead of such person or persons until [PAGE 45 OF ORIGINAL ENDS HERE] the vacancy or vacancies so created shall be filled up by an appointment to be made by His Majesty his heirs and successors in manner aforesaid **And** whereas by an act passed in the thirtieth year of the reign of his late Majesty King George The third intituled “An Act for enabling His Majesty to authorize the governor or lieutenant governor of such places beyond the seas to which felons or other offenders may be transported to remit the sentences of such offenders” after reciting several orders made by His Majesty with the advice of his privy council whereby his majesty had declared and appointed that the eastern coast of New South Wales and the islands thereunto adjacent should be the place or places beyond sea to which certain felons and other offenders should be conveyed and transported it was enacted that it should be lawful for His Majesty by his commission under the great seal to authorize the governor or lieutenant governor for the time being of such place or places as aforesaid by any instrument in writing under the seal of the government in which such place or places should be situated to remit either absolutely or conditionally the whole or any part [PAGE 46 OF ORIGINAL ENDS HERE] of the time or term for which any such felons or offenders should have been or should thereafter be respectively conveyed or transported to such place or places and it was further enacted that such governor or lieutenant governor should by the first opportunity transmit to one of His Majesty’s principal secretaries of state duplicated of every instrument as aforesaid and the names of such felons or other offenders respectively which should be contained in such duplicates should be inserted in the next general pardon which should pass under the great seal of Great Britain after the receipt of such duplicates and whereas in virtue of the said act and of His Majesty’s commission under the great seal the

governors of New South Wales for the time being have from time to time remitted the time or term for which divers felons and other offenders have been transported to the said places but the duplicates if the several instruments by which such times or terms of transportation were remitted have not been regularly transmitted to England and the names of the felons or other offenders respectively therein contained have not been inserted in any general pardon under the great seal of Great Britain **Be** it further **enacted** that all [PAGE 47 OF ORIGINAL ENDS HERE] instruments in writing made in conformity with the said act or which shall be so made before the first day of January next whereby any governor or lieutenant governor of New South Wales for the time being hath remitted or shortened or may remit or shorten the time or term of transportation of any felons or offenders as aforesaid shall have and shall be deemed and taken to have had within New South Wales and its dependencies from the days of the respective dates of such several instruments such and the like force and effect in the law to all intents and purposes as any general pardon if passed under the great seal aforesaid and including the names of such felons or other offenders respectively could or would have had and the same instruments whenever they shall be ratified by his Majesty if his Majesty shall be pleased to ratify the same and such ratification shall be notified in writing by one of His Majesty's principal secretaries of state shall have the same force and effect within this realm and all other his Majesty's dominions from the days of the respective dates of such several instruments or from such other days as shall be expressed in such ratifications respectively [PAGE 48 OF ORIGINAL ENDS HERE] **And** be it further **enacted** that all instruments in writing whereby any governor or acting governor of New South Wales shall hereafter remit or shorten the time or term of transportation of any felons or other offenders in pursuance of the said act passed in the thirtieth year of the reign of his said late Majesty King George the third shall by such governor or acting governor be transmitted to his Majesty his heirs and successors for his and their approbation or allowance and in case his majesty his heirs and successors shall through one of his or their principal secretaries of state signify his or their approbation or allowance of any such remission or shortening of any such time or term of transportation as aforesaid then and in such case only every such instrument so transmitted as aforesaid shall have and shall be deemed and taken from the date thereof to have had within New South Wales and the dependencies thereof but not elsewhere such and the same effect in the law to all intents and purposes as if a general pardon has passed under the great seal aforesaid on the days of the dates of such instruments respectively in which the

names of such felons or offenders as aforesaid had been included **And** be further **enacted** that if any person or persons being in New South Wales or any of the dependencies thereof [PAGE 49 OF ORIGINAL ENDS HERE] under or by virtue of any sentence of transportation or order of any court in the United Kingdom of Great Britain and Ireland for any time or term of years not then expired or not remitted by the governor or acting governor of the said colony shall be convicted by due course of law in the said colony or any of the dependencies thereof of any offence which if committed in England would or might be punishable by transportation it shall and may be lawful for the court before which any such offender or offenders may be so convicted to sentence and adjudge him her or them to detention and safe custody in New South Wales or any of the dependencies thereof for any term or number of years not exceeding the term or number of years for which such offender or offenders might or could by law be sentenced to transportation in case he she or they had been convicted of such or the like offence in court of record in England and such detention shall take effect and be computed not from the date of any such sentence or judgment as aforesaid but from the time when the term of such original sentence of transportation shall expire and in case any person or persons who shall be so sentenced to be detained in the said colony or its dependencies [PAGE 50 OF ORIGINAL ENDS HERE] shall be afterwards at large within any part of the united kingdom of Great Britain and Ireland without lawful cause before the expiration of the term for which such offender or offenders shall have been sentenced to be detained as aforesaid every such offender being at large as aforesaid and being thereof lawfully convicted shall suffer death as in cases of felony without benefit of clergy and such offender or offenders may be tried before the justices of assize oyer and terminer great sessions or gaol delivery for the county city liberty borough or place in any part of his Majesty's dominions where such offender or offenders shall be apprehended or taken and on every such trial a certificate in writing signed by the judge or judges of the court in New South Wales or its dependencies whereby such offender was so sentenced to be detained containing the effect and substance only (omitting the formal part) of the indictment and conviction of such offender and of the sentence of detention shall be sufficient proof of the conviction and sentence of every such offender **And** be it further **enacted** that if any person or persons who may hereafter be transported to New South Wales or any of the dependencies thereof under [PAGE 51 OF ORIGINAL ENDS HERE] any sentence or order of any court in the united kingdom aforesaid shall be guilty of misbehaviour or disorderly conduct on board of

any ship or vessel in which such person or persons shall be so transported it shall be lawful for the surgeon or principal medical officer for the time being of any such ship or vessel to inflict or cause to be inflicted on the person or person so offending such moderate punishment or correction as may be inflicted by law on convicts confined on board vessels in the River Thames by the Superintendent or Overseer of those vessels provided always that no such punishment or correction shall be so inflicted unless the master or principal officer for the time being of such ship or vessel shall first signify his approbation thereof in writing under his hand and every such punishment or correction as aforesaid together with the particulars of the offence for which the same may be so inflicted together with such written approbation as aforesaid shall on the same day in all cases be entered by such master or principal officer as aforesaid upon the log of every such ship or vessel under a penalty of fifty pounds in case of every refusal or neglect to make such entry to be recovered by bill plaint or [PAGE 52 OF ORIGINAL ENDS HERE] information in either of the supreme courts of New South Wales and Van Diemen's Land aforesaid or in any court of record in England one half of which penalty shall go to the use of his Majesty his heirs and successors and the other half to the person or persons who may inform or sue for the same **And** whereas it may be expedient to appoint certain ports of places in New South Wales or the dependencies thereof for the reception of felons and other offenders who may hereafter be sentenced to transportation or whom it may be necessary to remove from the settlements at present formed in the said colony and for the better preventing the escape of such felons or other offenders it is expedient that no trading ship or vessel should be permitted to enter or touch at or hold intercourse with any such ports or places **Be** it further **enacted** that it shall and may be lawful for his Majesty his heirs and successors by any order or orders to be issued by and with the advice of his or their most honourable privy council from time to time to appoint such ports or places [PAGE 53 OF ORIGINAL ENDS HERE] in New South Wales or any of the dependencies thereof as shall be deemed proper for the reception and keeping of felons or other offenders and to prohibit all masters mariners and other persons commanding navigating or sailing on board of any ship or vessel from entering touching at or communicating with any such port or place and for that purpose to establish all such rules and regulations as may be necessary and for the breach or violation of any such order or orders rules or regulations to impose all such penalties and forfeitures as to his Majesty his heirs and successors with the advice of his and their said council shall seem meet which penalties and

forfeitures shall and may be recovered in the supreme courts of New South Wales and Van Diemen's Land respectively or in any court of record or vice admiralty in any part of his Majesty's dominions **And** be it further **enacted** and declared that any person or persons who shall in any manner contrive aid abet or assist in the escape or intended escape from any part of New South Wales [PAGE 54 OF ORIGINAL ENDS HERE] or Van Diemen's Land or the dependencies thereof of any person or persons there being under or by virtue of any judgment or sentence of transportation for any term not then expired or of any judgment or sentence pronounced in any court of competent jurisdiction in the said colony or its dependencies is and are and shall be and be deemed and taken to be guilty of a misdemeanor and shall incur and be liable to fine not exceeding five hundred pounds or to imprisonment for any time not exceeding two years or to both at the discretion of the court before which any such person or persons may be convicted and such misdemeanor shall and may be tried and inquired of by the supreme courts of New South Wales or of Van Diemen's Land respectively or by his Majesty's court of king's bench at Westminster or by any court of record in any of his Majesty's colonies plantations or foreign dominions **And** be it further **enacted** that from and after the thirtieth day of June in the year of our lord one thousand eight hundred and twenty four all the provisions penalties clauses matters and things contained in an act passed in the second year of the reign of his [PAGE 55 OF ORIGINAL ENDS HERE] Majesty king George the second intituled "An act for the regulation and government of seamen in the merchant service shall be and the same are hereby extended to New South Wales and the dependencies thereof **And** be it further **enacted** that it shall and may be lawful for any artificer handicraftsman mechanic gardener servant in husbandry or other labourer not being under the age of eighteen year by indenture duly executed and without a stamp to contract with any person or persons about to proceed to or actually resident in New South Wales or the dependencies thereof or with the agent or agents of such person or persons faithfully to serve or to proceed to and faithfully serve such person or persons in the said colony or the dependencies thereof for any period not exceeding the full term of seven years to be computed from the day of the date of such indenture **And** be it further **enacted** that it shall and may be lawful for any person or persons with whom such artificer handicraftsman mechanic gardener servant in husbandry or other labourer shall have so contracted to serve as aforesaid to maintain an action on the case against any person or persons [PAGE 56 OF

ORIGINAL ENDS HERE] who shall employ retain harbour or conceal any such artificer handicraftsman mechanic gardener servant in husbandry or other labourer with intent to deprive the employer of any such person or persons of his her or their services or otherwise with intent to defraud or injure such employer and in case the plaintiff or plaintiffs in any such action shall recover a verdict he she or they shall in addition to the damages found by such verdict recover and have treble costs **And** be it further **enacted** that it shall and may be lawful for the court of sessions or any two or more justices of the peace in New South Wales or the dependencies thereof upon complaint made upon oath to punish by fine or imprisonment or both any wilful violation of the provisions of such indentures as aforesaid by or any misdemeanor miscarriage or ill behaviour of such artificer handicraftsman mechanic gardener servant in husbandry or other labourer in such his service or employment as aforesaid and also to hear and determine all complaints differences and disputes which shall happen and arise between any such artificer handicraftsman mechanic gardener servant in husbandry or other labourer and the person or persons whom he shall have [PAGE 57 OF ORIGINAL ENDS HERE] so contracted to serve as aforesaid and to make such order or award in every such case as to such courts of sessions or justices respectively shall seem just and every such order or award to enforce by execution against the goods effects or other property of the party or parties against whom such order or award shall be made or by arrest of the person and imprisonment for any time not exceeding three calendar months **Provided** always and be it further **enacted** that in case it shall at any time seem fit to His Majesty his heirs and successors to constitute and erect the island of Van Diemen's Land and any islands territories or places thereto adjacent into a separate colony independent of the government of New South Wales it shall and may be lawful for His Majesty his heirs and successors so to do any thing hereinbefore to the contrary contained in anywise notwithstanding and in that case it shall and may be lawful for His Majesty his heirs and successors by any order to be by him or them issued by and with the advice of His or their privy council to commit to any persons or person within the said island of Van Diemen's Land and such islands territories or places as aforesaid such and the like powers authorities and jurisdiction as by virtue of this present Act or of any other Act of parliament are or may lawfully be committed to any person or persons within the colony [PAGE 58 OF ORIGINAL ENDS HERE] of New South Wales and its dependencies subject nevertheless to all such and the like restrictions provisoes and declarations as are hereinbefore made and contained and

thereupon the appeal hereinbefore granted to the Governor of New South Wales and its dependencies from the judgments decrees orders and sentences of the supreme court of Van Diemen's Land shall cease and determine and from and after the making of such order all instruments in writing whereby any governor or acting governor of Van Diemen's Land and its dependencies shall remit or shorten the term or time of transportation of any felons or other offenders shall have such and the like force effect and virtue in the law as any such instruments in writing to be made by any governor or acting governor of New South Wales and its dependencies can or may lawfully have by virtue of the before mentioned act passed in the thirtieth year of the reign of his late Majesty King George the third or by virtue of this present act **And** be it further **enacted** that this act shall be and continue in force until the first day of July in the year of our Lord one thousand eight hundred and twenty seven and from thence until the end of the next session of parliament.