

New Zealand.

ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

No. 73.

ANALYSIS.

- | | |
|--|--|
| Title. | 4. Juvenile offender if a male may be whipped. |
| Preamble. | 5. Limitation of powers granted under "The Resident Magistrates' Jurisdiction Extension Act 1862." |
| 1. Short Title. | 6. Power of suspension granted to Governor. |
| 2. Extension of jurisdiction in larceny cases. | |
| 3. Extension of jurisdiction on confession of party accused. | |

AN ACT for Extending the Jurisdiction of Resident Magistrates in Criminal Cases and for amending "The Resident Magistrates Jurisdiction Extension Act 1862." [30th October 1865.]

WHEREAS an Ordinance was passed by the Lieutenant-Governor of New Zealand with the advice and consent of the Legislative Council thereof intituled "An Ordinance to Provide for the Establishment of Resident Magistrates' Courts and to make special Provision for the Administration of Justice in Certain Cases" Session VII. No. 16 And whereas it is desirable to amend the said Ordinance and whereas it is also expedient to amend "The Resident Magistrates' Jurisdiction Extension Act 1862"

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled as follows—

I. The Short Title of this Act shall be "The Resident Magistrates' Criminal Jurisdiction Extension and Amendment Act 1865."

II. The words "five pounds" shall be substituted for the words "twenty shillings" in section V. of the said Ordinance.

III. The words "ten pounds" shall be substituted for the words "five pounds" in section VI. of the said Ordinance.

IV. When any person shall be charged with having committed or having attempted to commit or with having been an aider abettor counsellor or procurer in the commission of larceny and whose age at the period of the commission or attempted commission of such offence shall not in the opinion of the Resident Magistrate before whom he or she shall be brought or appear exceed the age of fourteen years it shall be lawful for any such Resident Magistrate upon conviction thereof upon his own confession or upon proof to sentence the offender to be imprisoned for any term not exceeding two calendar months or if a male to be once privately whipped either instead of or in addition to such imprisonment.

Resident Magistrates' Criminal Jurisdiction Extension and Amendment.

Limitation of powers granted under "The Resident Magistrates' Jurisdiction Extension Act 1862."

V. In every case when the second and third sections of "The Resident Magistrates' Jurisdiction Extension Act 1862" shall have been or may hereafter be brought into force with respect to the Resident Magistrate's Court of any district by Proclamation in the *New Zealand Gazette* the powers thereby conferred or to be conferred shall be held and taken to have been conferred on the Resident Magistrate of such Court and on any person thereafter appointed Resident Magistrate of such Court only while holding Courts within the District specified in such Proclamation.

Power of suspension granted to Governor.

VI. It shall be lawful for the Governor by Proclamation in the *New Zealand Gazette* at any time to suspend the operation of the second and third sections of "The Resident Magistrates' Jurisdiction Extension Act 1862" with respect to any Resident Magistrate's Court Provided always that such suspension shall not be held to prevent the issuing of Warrants of Distress or Commitment or otherwise enforcing due satisfaction of any judgment obtained in such Resident Magistrate's Court previous to such suspension.

L.L.
V.L.B.