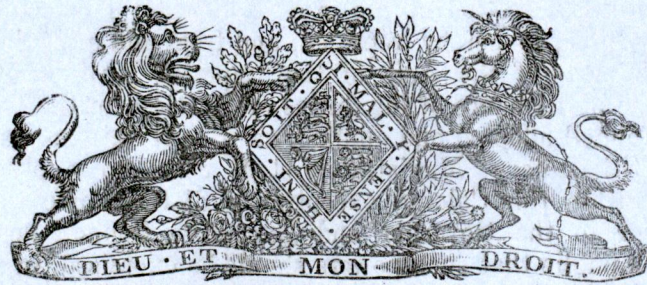


New South Wales.



ANNO VICESIMO

VICTORIÆ REGINÆ.

No. XXXII.

An Act to provide for the discharge of the duties of Clerks of Petty Sessions in districts for which no such Officer shall be appointed, and to withdraw certain special powers now possessed by Police Magistrates. [Assented to, 18th March, 1857.]

WHEREAS it is intended to appoint Police Magistrates for and to dis- Preamble.
pense with Clerks of Petty Sessions in some of the Police Districts of the Colony, and it is therefore necessary to provide for the discharge of the duties now by law required to be performed by Clerks of Petty Sessions in such districts: And whereas it is considered expedient to withdraw from Police Magistrates the special powers now given to them by the Act of Council fourteenth Victoria, number forty-three, adopting and applying certain Imperial Acts for facilitating the performance of the duties of Justices of the Peace: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales, in Parliament assembled, and by the authority of the same, as follows:—

1. In any Police District for which a Clerk of Petty Sessions shall not be appointed it shall be competent to the Police Magistrate (if any) appointed for such district to discharge all or any of the duties which now do or may hereafter pertain to the Office of Clerk of Petty Sessions, and all acts done by such Magistrate in pursuance hereof shall be as valid and effectual in the law as if done by such Clerk, and all notices required to be given to such Clerk, and all other matters and things required to be done

Duties of Clerks of Petty Sessions to be discharged by Police Magistrate, except such as may be delegated by the Justices in Session to the Chief or a District Constable.

with

Clerks of Petty Sessions Act.—1857.

with or in reference to such Clerk, may be given to or done with or in reference to such Magistrate, and shall have the like force and effect : Provided that it shall be lawful for the Justices in Petty Sessions assembled within the district to require such of the said duties, acts, matters, and things as they shall think convenient to be done by, with, or in reference to the Chief or any District Constable of the district, and thereupon such acts, matters, and things shall be as valid and effectual as if done by, with, or in reference to a Clerk of Petty Sessions duly appointed as such.

Repealing sec. 6 of 14 Vict., No. 43, and withdrawing special powers heretofore given to Police Magistrates.

2. The sixth section of the Act of Council fourteenth Victoria, number forty-three, is hereby repealed, and from and after the passing of this Act such parts of the Acts of the Imperial Parliament passed for facilitating the performance of the duties of Justices of the Peace, by the said Act of Council adopted and applied, as give certain special powers to Police and Stipendiary Magistrates shall cease to apply to Police Magistrates within this Colony, excepting in districts or places in which it shall appear to the Governor and Executive Council specially convenient to the public that such powers should be exercised, in which cases any such Police Magistrate may, by order of the Governor in Council, be authorised to exercise such powers either permanently or temporarily, as the case may require.

By Authority : WILLIAM HANSON, Government Printer, Sydney, 1857.