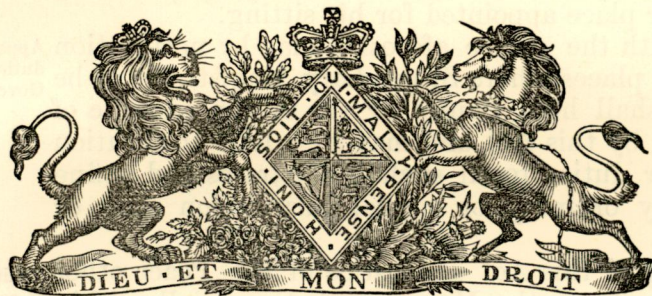


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 30 November, 1881.* }

STEPHEN W. JONES,  
*Clerk of Legislative Assembly.*

## New South Wales.



ANNO QUADRAGESIMO QUINTO

# VICTORIÆ REGINÆ.

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No. .

An Act to authorize the appointment of Stipendiary Magistrates within the Metropolitan Police District and to define in certain respects the powers of Magistrates within the said District.

**W**HEREAS it is expedient to authorize the appointment of Preamble.  
Stipendiary Magistrates within the Metropolitan Police District and to define the jurisdiction and declare the powers of Magistrates within the said District Be it therefore enacted by the Queen's Most  
5 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. This Act may be cited as the "Metropolitan Magistrates Act Short title.  
1881."
- 10 2. It shall be lawful for the Governor with the advice of the Governor may  
appoint Stipendiary  
Magistrates.  
Executive Council to appoint not more than six persons as Stipendiary Magistrates for the purposes of this Act.
- 15 3. Every such Magistrate shall be a Justice of the Peace for Jurisdiction and  
authority of Stipen-  
diary Justices.  
New South Wales and shall take the like oath of office as is now required of Justices of the Peace and within the boundaries of the Metropolitan Police District for the time being shall have power to do alone any act and to exercise alone any jurisdiction which under any law now in force or under any law not containing an express enactment to the contrary hereafter to be made may be done or exercised  
by



*Metropolitan Magistrates.*

by any Police Magistrate Justice or Justices of the Peace howsoever sitting adjudicating or acting And all the provisions of any Act of Parliament auxiliary to the jurisdiction of such Justice or Justices shall be applicable also to the jurisdiction of such Magistrate.

5 4. The authority and jurisdiction given to a Stipendiary Magistrate by the last preceding section shall extend and apply as well to cases where the act or jurisdiction is or hereafter may be expressly required to be done or exercised by Justices sitting or acting in Petty Sessions within the said district as to cases where the act or jurisdiction is not so required to be done or exercised And any enactment authorizing or requiring persons to be summoned or to appear at such Petty Sessions shall in the like cases authorize or require persons to be summoned or to appear before the Stipendiary Magistrate having jurisdiction at the Court or place appointed for his sitting.

Foregoing section to extend to other acts as well as those required to be done at Petty Sessions.

15 5. The Governor with the advice aforesaid may by notification in the *Gazette* appoint the places where Stipendiary Magistrates to be appointed under this Act shall hold Courts or sit in the exercise of the jurisdiction conferred by this Act and may by a like notification assign and apportion their duties to all such Magistrates and define the area within which any ordinary or special jurisdiction shall or may be exercised by them.

Apportionment of duties &c. by Governor.

25 6. After the passing of this Act no Justice of the Peace other than a Stipendiary Magistrate or the Mayor of Sydney shall within the boundaries of the Metropolitan Police District sit either alone or with other Justices at any Petty or other Sessions of the Peace for the purpose of adjudicating in a summary way in respect of any complaint information or matter or of making any order or of deciding any matter on appeal which by law Justices are now empowered to hear and determine deal with or decide But nothing in this Act contained shall abridge or prejudice the ministerial powers of Justices in committal cases or the power of Justices to take any information or issue any summons or grant issue or indorse any warrant or admit to bail in any case in which Justices might by law before the passing of this Act have exercised any such power.

Limitation of powers of certain Justices within Metropolitan District.

35 7. The provisions and requirements of every Statute Regulation General Rule or Order of any Court by which any liability duty obligation or authority in respect of any case stated depositions conviction order warrant or other document instrument matter or proceeding of what kind soever is now or may hereafter be cast upon incurred or exercisable by any one or more Justices sitting or acting within the Metropolitan Police District shall be equally applicable to every Stipendiary Magistrate appointed under this Act.

Duties &c. of Stipendiary Magistrates as to cases depositions documents &c.

45 8. Every Stipendiary Magistrate while sitting in the exercise of his jurisdiction under this or any other Act shall except in cases where he is acting ministerially be deemed to be a Court of Petty Sessions with all powers and authorities incident by law to such a Court And subject to the approval of the Governor with the advice aforesaid the Magistrates appointed under this Act shall as soon as practicable after the passing thereof and may thereafter from time to time subject to the like approval frame General Rules of Court for the regulation of the practice procedure and all matters of detail to be observed and carried out in their respective Courts And provision may be made in such Rules or any one of them for their or its enforcement by the infliction of a fine not exceeding in any case twenty pounds or by imprisonment of the offender or defaulter not exceeding fourteen days or by fine and imprisonment within the said limits.

Magistrates to constitute Courts of Petty Sessions Power to frame rules &c.

55 9. The provisions of the Act of the Imperial Legislature eleventh and twelfth Victoria chapter forty-four (as adopted by the Act fourteenth Victoria number forty-three) for the protection of Justices

Application of various protective and enabling Acts to Stipendiary Magistrates.



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*Metropolitan Magistrates.*

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Justices of the Peace from vexatious actions for acts done by them in execution of their office—of the “Justices Act of 1850”—of the “Justices Act Amendment Act of 1853” and of the “Justices Enabling Act of 1872” and of all other Acts relating to Justices of the Peace and their duties so far as the same may be applicable shall be applicable to Stipendiary Magistrates appointed under this Act.

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Sydney: Thomas Richards, Government Printer.—1881.

[3d.]







METROPOLITAN MAGISTRATES BILL.

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*SCHEDULE of the Amendment referred to in Message of 13th December, 1881.*

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Page 2, clause 6, lines 22 and 23. *Omit* "passing of this Act" *insert* "**thirty-first day of January one thousand eight hundred and eighty-two.**"

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THE NATIONAL ARCHIVES

RECORDS OF THE DEPARTMENT OF THE INTERIOR

FILE NO. 100-100000-100000  
of January one thousand eight hundred and eighty-two.



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 30 November, 1881.* }

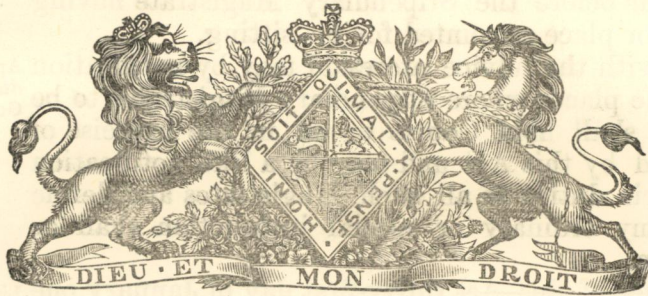
STEPHEN W. JONES,  
*Clerk of Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, 13th December, 1881.* }

JOHN J. CALVERT,  
*Clerk of the Parliaments.*

## New South Wales.



ANNO QUADRAGESIMO QUINTO

# VICTORIÆ REGINÆ.

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No.

An Act to authorize the appointment of Stipendiary Magistrates within the Metropolitan Police District and to define in certain respects the powers of Magistrates within the said District.

**W**HEREAS it is expedient to authorize the appointment of Preamble.  
Stipendiary Magistrates within the Metropolitan Police District and to define the jurisdiction and declare the powers of Magistrates within the said District Be it therefore enacted by the Queen's Most  
5 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. This Act may be cited as the "Metropolitan Magistrates Act" Short title.  
1881."
- 10 2. It shall be lawful for the Governor with the advice of the Executive Council to appoint not more than six persons as Stipendiary Governor may appoint Stipendiary Magistrates. Magistrates for the purposes of this Act.
- 15 3. Every such Magistrate shall be a Justice of the Peace for New South Wales and shall take the like oath of office as is now Jurisdiction and authority of Stipendiary Justices. required of Justices of the Peace and within the boundaries of the Metropolitan Police District for the time being shall have power to do alone any act and to exercise alone any jurisdiction which under any law now in force or under any law not containing an express enactment to the contrary hereafter to be made may be done or exercised

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by

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



*Metropolitan Magistrates.*

by any Police Magistrate Justice or Justices of the Peace howsoever sitting adjudicating or acting. And all the provisions of any Act of Parliament auxiliary to the jurisdiction of such Justice or Justices shall be applicable also to the jurisdiction of such Magistrate.

- 5 4. The authority and jurisdiction given to a Stipendiary Magistrate by the last preceding section shall extend and apply as well to cases where the act or jurisdiction is or hereafter may be expressly required to be done or exercised by Justices sitting or acting in Petty Sessions within the said district as to cases where the act or jurisdiction is not so required to be done or exercised. And any enactment authorizing or requiring persons to be summoned or to appear at such Petty Sessions shall in the like cases authorize or require persons to be summoned or to appear before the Stipendiary Magistrate having jurisdiction at the Court or place appointed for his sitting.
- 10 5. The Governor with the advice aforesaid may by notification in the *Gazette* appoint the places where Stipendiary Magistrates to be appointed under this Act shall hold Courts or sit in the exercise of the jurisdiction conferred by this Act and may by a like notification assign and apportion their duties to all such Magistrates and define the area within which any ordinary or special jurisdiction shall or may be exercised by them.
- 15 6. After the passing of this Act **thirty-first day of January one thousand eight hundred and eighty-two** no Justices of the Peace other than a Stipendiary Magistrate or the Mayor of Sydney shall within the boundaries of the Metropolitan Police District sit either alone or with other Justices at any Petty or other Sessions of the Peace for the purpose of adjudicating in a summary way in respect of any complaint information or matter or of making any order or of deciding any matter on appeal which by law Justices are now empowered to hear and determine deal with or decide. But nothing in this Act contained shall abridge or prejudice the ministerial powers of Justices in committal cases or the power of Justices to take any information or issue any summons or grant issue or indorse any warrant or admit to bail in any case in which Justices might by law before the passing of this Act have exercised any such power.
- 20 7. The provisions and requirements of every Statute Regulation General Rule or Order of any Court by which any liability duty obligation or authority in respect of any case stated depositions conviction order warrant or other document instrument matter or proceeding of what kind soever is now or may hereafter be cast upon incurred or exercisable by any one or more Justices sitting or acting within the Metropolitan Police District shall be equally applicable to every Stipendiary Magistrate appointed under this Act.
- 25 8. Every Stipendiary Magistrate while sitting in the exercise of his jurisdiction under this or any other Act shall except in cases where he is acting ministerially be deemed to be a Court of Petty Sessions with all powers and authorities incident by law to such a Court. And subject to the approval of the Governor with the advice aforesaid the Magistrates appointed under this Act shall as soon as practicable after the passing thereof and may thereafter from time to time subject to the like approval frame General Rules of Court for the regulation of the practice procedure and all matters of detail to be observed and carried out in their respective Courts. And provision may be made in such Rules or any one of them for their or its enforcement by the infliction of a fine not exceeding in any case twenty pounds or by imprisonment of the offender or defaulter not exceeding fourteen days or by fine and imprisonment within the said limits.
- 30 9. The provisions of the Act of the Imperial Legislature eleventh and twelfth Victoria chapter forty-four (as adopted by the Act fourteenth Victoria number forty-three) for the protection of Justices

Foregoing section to extend to other acts as well as those required to be done at Petty Sessions.

Apportionment of duties &c. by Governor.

Limitation of powers of certain Justices within Metropolitan District.

Duties &c. of Stipendiary Magistrates as to cases depositions documents &c.

Magistrates to constitute Courts of Petty Sessions Power to frame rules &c.

Application of various protective and enabling Acts to Stipendiary Magistrates.



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*Metropolitan Magistrates.*

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Justices of the Peace from vexatious actions for acts done by them in execution of their office—of the “Justices Act of 1850”—of the “Justices Act Amendment Act of 1853” and of the “Justices Enabling Act of 1872” and of all other Acts relating to Justices of  
5 the Peace and their duties so far as the same may be applicable shall be applicable to Stipendiary Magistrates appointed under this Act.

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Sydney : Thomas Richards, Government Printer.—1881.

[3d.]



PROVISIONS RELATIVE TO

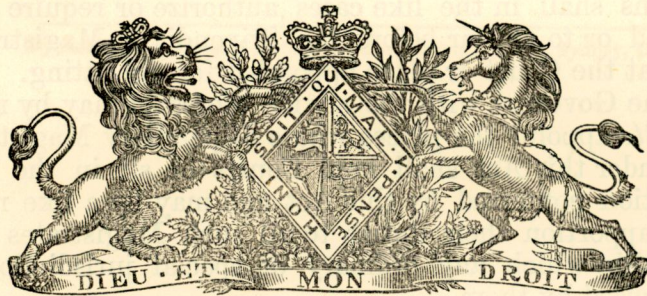
Justices of the Peace from various actions for acts done by them in execution of their office of the Statute Act of 1850, of the Statute Act Amendment Act of 1853, and of the Statute Act of 1872, and of all other Acts relating to Justices of the Peace and their duties so far as the same may be applicable shall be applicable to stipendiary Magistrates appointed under this Act.

Enacted by Her Majesty in Council at the City of London, the 14th day of August 1874.

1874



New South Wales.



ANNO QUADRAGESIMO QUINTO

VICTORIÆ REGINÆ.

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No. XVII.

An Act to authorize the appointment of Stipendiary Magistrates within the Metropolitan Police District and to define in certain respects the powers of Magistrates within the said District. [Assented to, 19th December, 1881.]

WHEREAS it is expedient to authorize the appointment of Stipendiary Magistrates within the Metropolitan Police District and to define the jurisdiction and declare the powers of Magistrates within the said District 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. This Act may be cited as the "Metropolitan Magistrates Act 1881."

Short title.

2. It shall be lawful for the Governor with the advice of the Executive Council to appoint not more than six persons as Stipendiary Magistrates for the purposes of this Act.

Governor may appoint Stipendiary Magistrates.

3. Every such Magistrate shall be a Justice of the Peace for New South Wales and shall take the like oath of office as is now required of Justices of the Peace and within the boundaries of the Metropolitan Police District for the time being shall have power to do alone any act and to exercise alone any jurisdiction which under any law

Jurisdiction and authority of Stipendiary Justices.



*Metropolitan Magistrates.*

law now in force or under any law not containing an express enactment to the contrary hereafter to be made may be done or exercised by any Police Magistrate Justice or Justices of the Peace howsoever sitting adjudicating or acting And all the provisions of any Act of Parliament auxiliary to the jurisdiction of such Justice or Justices shall be applicable also to the jurisdiction of such Magistrate.

Foregoing section to extend to other acts as well as those required to be done at Petty Sessions.

4. The authority and jurisdiction given to a Stipendiary Magistrate by the last preceding section shall extend and apply as well to cases where the act or jurisdiction is or hereafter may be expressly required to be done or exercised by Justices sitting or acting in Petty Sessions within the said district as to cases where the act or jurisdiction is not so required to be done or exercised And any enactment authorizing or requiring persons to be summoned or to appear at such Petty Sessions shall in the like cases authorize or require persons to be summoned or to appear before the Stipendiary Magistrate having jurisdiction at the Court or place appointed for his sitting.

Apportionment of duties &c. by Governor.

5. The Governor with the advice aforesaid may by notification in the *Gazette* appoint the places where Stipendiary Magistrates to be appointed under this Act shall hold Courts or sit in the exercise of the jurisdiction conferred by this Act and may by a like notification assign and apportion their duties to all such Magistrates and define the area within which any ordinary or special jurisdiction shall or may be exercised by them.

Limitation of powers of certain Justices within Metropolitan District.

6. After the thirty-first day of January one thousand eight hundred and eighty-two no Justices of the Peace other than a Stipendiary Magistrate or the Mayor of Sydney shall within the boundaries of the Metropolitan Police District sit either alone or with other Justices at any Petty or other Sessions of the Peace for the purpose of adjudicating in a summary way in respect of any complaint information or matter or of making any order or of deciding any matter on appeal which by law Justices are now empowered to hear and determine deal with or decide But nothing in this Act contained shall abridge or prejudice the ministerial powers of Justices in committal cases or the power of Justices to take any information or issue any summons or grant issue or indorse any warrant or admit to bail in any case in which Justices might by law before the passing of this Act have exercised any such power.

Duties &c. of Stipendiary Magistrates as to cases depositions documents &c.

7. The provisions and requirements of every Statute Regulation General Rule or Order of any Court by which any liability duty obligation or authority in respect of any case stated depositions conviction order warrant or other document instrument matter or proceeding of what kind soever is now or may hereafter be cast upon incurred or exercisable by any one or more Justices sitting or acting within the Metropolitan Police District shall be equally applicable to every Stipendiary Magistrate appointed under this Act.

Magistrates to constitute Courts of Petty Sessions Power to frame rules &c.

8. Every Stipendiary Magistrate while sitting in the exercise of his jurisdiction under this or any other Act shall except in cases where he is acting ministerially be deemed to be a Court of Petty Sessions with all powers and authorities incident by law to such a Court And subject to the approval of the Governor with the advice aforesaid the Magistrates appointed under this Act shall as soon as practicable after the passing thereof and may thereafter from time to time subject to the like approval frame General Rules of Court for the regulation of the practice procedure and all matters of detail to be observed and carried out in their respective Courts And provision may be made in such Rules or any one of them for their or its enforcement by the infliction of a fine not exceeding in any case twenty pounds or by imprisonment of the offender or defaulter not exceeding fourteen days or by fine and imprisonment within the said limits.



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*Metropolitan Magistrates.*

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9. The provisions of the Act of the Imperial Legislature eleventh and twelfth Victoria chapter forty-four (as adopted by the Act fourteenth Victoria number forty-three) for the protection of Justices of the Peace from vexatious actions for acts done by them in execution of their office—of the “Justices Act of 1850”—of the “Justices Act Amendment Act of 1853” and of the “Justices Enabling Act of 1872” and of all other Acts relating to Justices of the Peace and their duties so far as the same may be applicable shall be applicable to Stipendiary Magistrates appointed under this Act.

Application of various protective and enabling Acts to Stipendiary Magistrates.

[3d.]

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By Authority : THOMAS RICHARDS, Government Printer, Sydney, 1881.



Municipal Magistrates

9. The provisions of the Act of the Imperial Legislature  
eleventh and twelfth Victoria chapter forty-four (as amended by the  
Act fourteenth Victoria number forty-three) for the protection of  
Justices of the Peace from vexatious actions for acts done by them  
in execution of their office—of the "Justices Act of 1850"—of the  
"Justices Act Amendment Act of 1853", and of the "Justices of  
the Peace Act of 1852", and of all other Acts relating to Justices of  
the Peace and their duties so far as the same may be applicable shall  
be applicable to stipendiary Magistrates appointed under this Act.

By Authority: Thomas Johnston, Government Printer, Sydney, 1851.

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