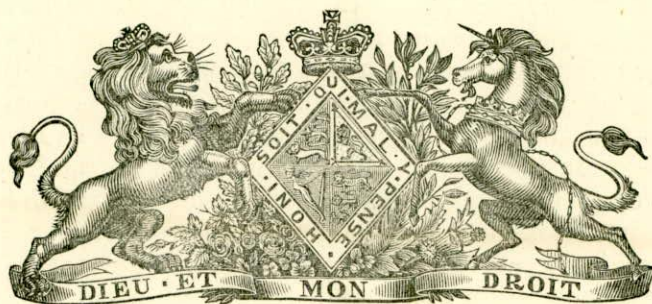


This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, 22rd November, 1892.* }

ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to amend the law relating to Summary Convictions and Orders and proceedings consequent thereon, and to validate certain convictions and orders.

BE it 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:—

5 1. Section twenty-two of the Act eleventh and twelfth Victoria, chapter forty-three, regulating summary convictions and orders, adopted by the Act of Council fourteenth Victoria number forty-three, and the Act of Parliament thirty-second Victoria number six, amending and extending the same are hereby repealed: Provided that such repeal
10 shall not affect the powers of any justice of the peace to proceed under the said enactments or either of them to enforce any conviction or order made before the passing of this Act.

Repeal of sec. 22
of 11 & 12 Vic., c.
43, and of 32 Vic.
No. 6.

15 2. In all cases of convictions or orders by any justice of the peace, where the statute on which the same are respectively founded provides no remedy in case it shall be returned to a warrant of distress issued under the authority of such statute that no sufficient goods of the party against whom such warrant shall have been issued can be
c 36— found,

Justice may, in
conviction or order,
award imprisonment
in default of
sufficient distress.

Summary Convictions Amendment.

found, or where the statute on which such convictions or orders are respectively founded provides no mode of raising or levying any penalty, compensation, or sum of money adjudged or ordered to be paid, or of enforcing payment of the same, it shall be lawful for the said justice
 5 of the peace, in any such conviction or order, to sentence the party against whom such conviction or order shall be made to imprisonment for any term not exceeding three months in case it shall be returned to a warrant of distress issued under the authority of the statute on which the conviction or order was founded, or under the authority of the Act
 10 eleventh and twelfth Victoria, chapter forty-three, that no sufficient goods of such party can be found. And thereupon such proceedings may be had and such steps taken as if the said sentence of imprisonment were authorised to be made as aforesaid by the statute on which the said conviction or order was founded.

15 3. Where, in any conviction or order made before the passing of this Act, the adjudicating justice of the peace has sentenced the party against whom the said order or conviction has been made to a term of imprisonment, in case it be returned to a warrant of distress issued for the purpose of raising or levying any penalty, compensation,
 20 or sum of money in the said conviction or order adjudged or ordered to be paid, or of enforcing payment of the same, that no sufficient goods of such party can be found, the said order and conviction and the said sentence of imprisonment shall be and are hereby declared to have been as valid and effectual for all purposes as if the statute on
 25 which the said order or conviction was founded had authorised the said sentence of imprisonment to be made in the said order or conviction as aforesaid.

4. This Act shall be read with and construed as part of the said Act eleventh and twelfth Victoria, chapter forty-three, and may be
 30 cited as the "Summary Convictions Amendment Act."

Validation of sentences of imprisonment in default of distress.

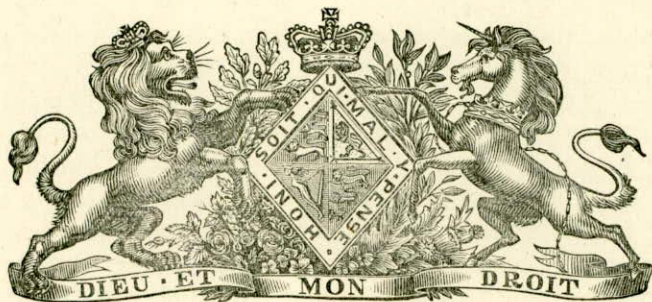
Act to be read with 11 & 12 Vic., c. 43.
 Short title.

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New South Wales.



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VICTORIÆ REGINÆ.

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5 1. Section twenty-two of the Act eleventh and twelfth Victoria, chapter forty-three, regulating summary convictions and orders, adopted by the Act of Council fourteenth Victoria number forty-three, and the Act of Parliament thirty-second Victoria number six, amending and extending the same are hereby repealed: Provided that such repeal 10 shall not affect the powers of any justice of the peace to proceed under the said enactments or either of them to enforce any conviction or order made before the passing of this Act.

Repeal of sec. 22 of 11 & 12 Vic., c. 43, and of 32 Vic. No. 6.

15 2. In all cases of convictions or orders by any justice of the peace, where the statute on which the same are respectively founded provides no remedy in case it shall be returned to a warrant of distress issued under the authority of such statute that no sufficient goods of the party against whom such warrant shall have been issued can be

Justice may, in conviction or order, award imprisonment in default of sufficient distress.

Summary Convictions Amendment.

found, or where the statute on which such convictions or orders are respectively founded provides no mode of raising or levying any penalty, compensation, or sum of money adjudged or ordered to be paid, or of enforcing payment of the same, it shall be lawful for the said justice
 5 of the peace, in any such conviction or order, to sentence the party against whom such conviction or order shall be made to imprisonment for any term not exceeding three months in case it shall be returned to a warrant of distress issued under the authority of the statute on which the conviction or order was founded, or under the authority of the Act
 10 eleventh and twelfth Victoria, chapter forty-three, that no sufficient goods of such party can be found. And thereupon such proceedings may be had and such steps taken as if the said sentence of imprisonment were authorised to be made as aforesaid by the statute on which the said conviction or order was founded.

15 3. Where, in any conviction or order made before the passing of this Act, the adjudicating justice of the peace has sentenced the party against whom the said order or conviction has been made to a term of imprisonment, in case it be returned to a warrant of distress issued for the purpose of raising or levying any penalty, compensation,
 20 or sum of money in the said conviction or order adjudged or ordered to be paid, or of enforcing payment of the same, that no sufficient goods of such party can be found, the said order and conviction and the said sentence of imprisonment shall be and are hereby declared to have been as valid and effectual for all purposes as if the statute on
 25 which the said order or conviction was founded had authorised the said sentence of imprisonment to be made in the said order or conviction as aforesaid.

Validation of sentences of imprisonment in default of distress.

4. This Act shall be read with and construed as part of the said Act eleventh and twelfth Victoria, chapter forty-three, and may be
 30 cited as the "Summary Convictions Amendment Act."

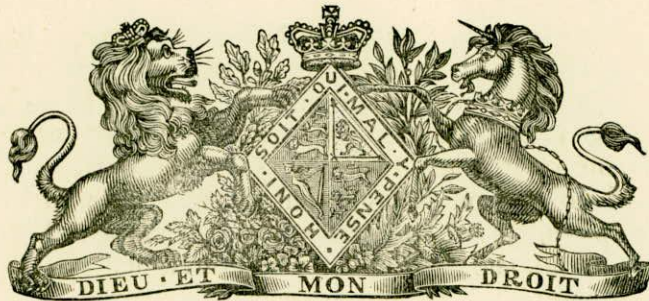
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An Act to amend the law relating to Summary Convictions and Orders and proceedings consequent thereon, and to validate certain convictions and orders.

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5 1. Section twenty-two of the Act eleventh and twelfth Victoria, chapter forty-three, regulating summary convictions and orders, adopted by the Act of Council fourteenth Victoria number forty-three, and the Act of Parliament thirty-second Victoria number six, amending and extending the same are hereby repealed: Provided that such repeal
10 shall not affect the powers of any justice of the peace to proceed under the said enactments or either of them to enforce any conviction or order made before the passing of this Act.

Repeal of sec. 22 of 11 & 12 Vic., c. 43, and of 32 Vic. No. 6.

15 2. In all cases of convictions or orders by any justice of the peace, where the statute on which the same are respectively founded provides no remedy in case it shall be returned to a warrant of distress issued under the authority of such statute that no sufficient goods of the party against whom such warrant shall have been issued can be

Justice may, in conviction or order, award imprisonment in default of sufficient distress.

Summary Convictions Amendment.

found, or where the statute on which such convictions or orders are respectively founded provides no mode of raising or levying any penalty, compensation, or sum of money adjudged or ordered to be paid, or of enforcing payment of the same, it shall be lawful for the said justice of the peace, in any such conviction or order, to sentence the party against whom such conviction or order shall be made to imprisonment for any term not exceeding three months in case it shall be returned to a warrant of distress issued under the authority of the statute on which the conviction or order was founded, or under the authority of the Act eleventh and twelfth Victoria, chapter forty-three, that no sufficient goods of such party can be found. And thereupon such proceedings may be had and such steps taken as if the said sentence of imprisonment were authorised to be made as aforesaid by the statute on which the said conviction or order was founded.

15 3. Where, in any conviction or order made before the passing of this Act, the adjudicating justice of the peace has sentenced the party against whom the said order or conviction has been made to a term of imprisonment, in case it be returned to a warrant of distress issued for the purpose of raising or levying any penalty, compensation, 20 or sum of money in the said conviction or order adjudged or ordered to be paid, or of enforcing payment of the same, that no sufficient goods of such party can be found, the said order and conviction and the said sentence of imprisonment shall be and are hereby declared to have been as valid and effectual for all purposes as if the statute on 25 which the said order or conviction was founded had authorised the said sentence of imprisonment to be made in the said order or conviction as aforesaid.

4. This Act shall be read with and construed as part of the said Act eleventh and twelfth Victoria, chapter forty-three, and may be 30 cited as the "Summary Convictions Amendment Act."

Validation of sentences of imprisonment in default of distress.

Act to be read with 11 & 12 Vic., c. 43.

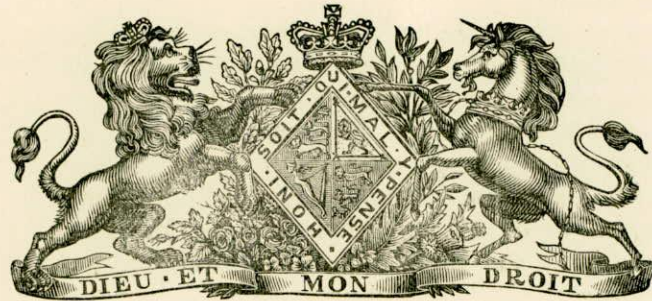
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5 1. Section twenty-two of the Act eleventh and twelfth Victoria, chapter forty-three, regulating summary convictions and orders, adopted by the Act of Council fourteenth Victoria number forty-three, and the Act of Parliament thirty-second Victoria number six, amending and extending the same are hereby repealed: Provided that such repeal
10 shall not affect the powers of any justice of the peace to proceed under the said enactments or either of them to enforce any conviction or order made before the passing of this Act.

15 2. In all cases of convictions or orders by any justice of the peace, where the statute on which the same are respectively founded provides no remedy in case it shall be returned to a warrant of distress issued under the authority of such statute that no sufficient goods of the party against whom such warrant shall have been issued can be
c 36— found,

Repeal of sec. 22 of 11 & 12 Vic., c. 43, and of 32 Vic. No. 6.

Justice may, in conviction or order, award imprisonment in default of sufficient distress.

Summary Convictions Amendment.

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15 3. Where, in any conviction or order made before the passing of this Act, the adjudicating justice of the peace has sentenced the party against whom the said order or conviction has been made to a term of imprisonment, in case it be returned to a warrant of distress issued for the purpose of raising or levying any penalty, compensation,
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4. This Act shall be read with and construed as part of the said Act eleventh and twelfth Victoria, chapter forty-three, and may be
 30 cited as the "Summary Convictions Amendment Act."

Validation of sentences of imprisonment in default of distress.

Act to be read with 11 & 12 Vic., c. 43.

Short title.

Legislative Council.

56^o VICTORIÆ, 1892.

A BILL

To amend the law relating to Summary Convictions and Orders and proceedings consequent thereon, and to validate certain convictions and orders.

[MR. R. E. O'CONNOR;—3 November, 1892.]

BE it 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 :—

5 1. Section twenty-two and the proviso to section nineteen of the Act eleventh and twelfth Victoria, chapter forty-three, regulating summary convictions and orders, adopted by the Act of Council fourteenth Victoria number forty-three, and the Act of Parliament thirty-second Victoria number six, amending and extending the same
10 are hereby repealed: Provided that such repeal shall not affect the powers of any justice of the peace to proceed under the said enactments or either of them to enforce any conviction or order made before the passing of this Act.

Repeal of sec. 22 and the proviso to sec. 19 of 11 & 12 Vic., c. 43, and of 32 Vic. No. 6.

15 2. In all cases of convictions or orders by any justice of the peace, where the statute on which the same are respectively founded provides no remedy in case it shall be returned to a warrant of distress issued under the authority of such statute that no sufficient goods of the party against whom such warrant shall have been issued can be found,

Justice may, in conviction or order, award imprisonment in default of sufficient distress.

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Validation of sentences of imprisonment in default of distress.

3. Where, in any conviction or order made before the passing of this Act, the adjudicating justice of the peace has sentenced the party against whom the said order or conviction has been made to a term of imprisonment, in case it be returned to a warrant of distress issued for the purpose of raising or levying any penalty, compensation, or sum of money in the said conviction or order adjudged or ordered to be paid, or of enforcing payment of the same, that no sufficient goods of such party can be found, the said order and conviction and the said sentence of imprisonment shall be and are hereby declared to have been as valid and effectual for all purposes as if the statute on which the said order or conviction was founded had authorised the said sentence of imprisonment to be made in the said order or conviction as aforesaid. 15 20 25

Act to be read with 11 & 12 Vic., c. 43.

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- 15 2. In all cases of convictions or orders by any justice of the peace, where the statute on which the same are respectively founded provides no remedy in case it shall be returned to a warrant of distress issued under the authority of such statute that no sufficient goods of the party against whom such warrant shall have been issued can be
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- c 36—
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