

No. XIII.

An Act to amend an Act of the Governor and QUARTER SESSIONS.
 Council intituled “*An Act for instituting and
 regulating Courts of General and Quarter
 Sessions in New South Wales*” and for better
 regulating the powers of Justices of the Peace
 therein. [20th May, 1830.]

WHEREAS in pursuance of the Act of Parliament in such case Preamble.
 made and provided a certain Law or Ordinance was passed by
 the Governor and Council in the tenth year of the reign of His present
 Majesty intituled “*An Act for instituting and regulating Courts of* 10 Geo. IV. No. 7.
General and Quarter Sessions in New South Wales” And whereas it
 is expedient that the Courts instituted under and by virtue of the
 said Law or Ordinance should have a summary jurisdiction over felons
 or offenders convicted of transportable offences in New South Wales
 or the Dependencies thereof and over any felon or offender removed
 or otherwise coming to the said Colony or its Dependencies from Van
 Diemen’s Land Be it therefore enacted by His Excellency the Governor
 by and with the advice and consent of the Legislative Council That
 the said Courts of General and Quarter Sessions shall have and
 exercise such and the like summary jurisdiction powers and authorities
 over felons or offenders convicted of transportable offences in New
 South Wales or the Dependencies thereof or removed or otherwise
 coming to the said Colony or its Dependencies from Van Diemen’s
 Land as in and by the said Law or Ordinance of the Governor and
 Council are vested in such Courts over felons or offenders transported
 to the said Colony or its Dependencies.

Courts of General
 and Quarter Sessions
 shall exercise sum-
 mary jurisdiction
 over felons convicted
 in New South Wales
 or removed from Van
 Diemen’s Land.

2. And be it further enacted That any two or more Justices Any two Justices
 sitting in open Court
 shall be deemed a
 Court of Sessions.
 of the Peace assembled and sitting in open Court within any part or
 place of the said Colony or its Dependencies shall be and be deemed
 to be a Court of Sessions within the meaning and intention of the
 said Law or Ordinance and such two or more Justices shall have
 and exercise such and the like summary jurisdiction powers and
 authorities over felons and offenders as in and by the said Law or
 Ordinance or by this or any other Law or Ordinance are or shall be
 vested in the said Courts of General and Quarter Sessions.

3. And whereas it is expedient that a summary jurisdiction Summary juris-
 diction in certain
 cases vested in one
 Justice of the Peace.
 should in certain cases and under certain limitations be confided to
 one Justice of the Peace Be it further enacted That such and the
 like jurisdiction powers and authorities as are in and by the said Law
 or Ordinance or by this or any other Law or Ordinance vested in the
 said Courts of General and Quarter Sessions for the taking cognizance
 in a summary way of any complaint made against any such felons or
 offenders as aforesaid for drunkenness disobedience of orders neglect
 of work absconding from the service of his or her master or employer
 abusive language or other disorderly conduct and for punishing such
 offences or any of them shall be and all such powers authorities and
 jurisdiction are and is hereby vested in any one Justice of the Peace
 for the said Colony or its Dependencies.

4. Provided nevertheless and be it further enacted That nothing Justices not to act in
 the cases of their
 own servants.
 herein contained shall authorize or be deemed to authorize any Justice
 or Justices to exercise any such jurisdiction or authority as aforesaid
 in any case of any such felon or offender as aforesaid who shall at the
 time

Quarter Sessions.

time of committing any such offence be in the service of such Justice or Justices.

Records to be kept of offenders' names and returns made thereof.

5. And be it further enacted That such and the like records of the names of all such felons or offenders as aforesaid who may be convicted in a summary way before any two or more Justices of the Peace or before any one Justice as aforesaid shall be kept in books to be provided for that purpose in such and the like form and returns thereof shall be transmitted in like manner as in and by the said Law or Ordinance is directed and required.

Penalty for failing to keep such records and to make such returns.

6. And be it further enacted That if any Clerk of the Peace whose duty it is and is hereby declared to be to keep such records and make such returns as aforesaid or any Justice or Justices where there shall be no such Clerk shall fail to keep or cause to be kept such and the like records as by the said Law or Ordinance is required or to make or cause to be made such and the like returns as therein is directed he or they respectively shall forfeit for every such failure a penalty or sum of Ten Pounds to be recovered in a summary way before the next Court of Quarter Sessions.