

No. VI.

LARCENY SUMMARY
JURISDICTION.

An Act for the further extension of Summary Jurisdiction in cases of Larceny. [27th July, 1852.]

BE it enacted by His Excellency the Governor of New South Wales by and with the advice and consent of the Legislative Council thereof as follows :—

Summary Jurisdiction in larceny extended to persons up to the age of sixteen.

1. The Act of the said Governor and Council passed in the fourteenth year of Her present Majesty's reign intituled "*An Act for the more speedy trial and punishment of Juvenile Offenders*" and the jurisdiction thereby given and all the provisions therein contained shall extend and be applicable to all cases in which any person shall be

Customs Duties.

be charged with any such offence as in the said Act mentioned and the age of the person at the period of the commission or attempted commission of the offence shall not in the opinion of the Justices before whom he shall be brought or appear as therein mentioned exceed the age of sixteen years.

2. The like jurisdiction as by the said Act is given shall and may be hereafter exercised in and all the provisions in the said Act contained shall so far as the same are applicable subject to the provisions hereinafter contained be extended and applied to all cases in which any person of any age exceeding sixteen years shall be charged with any such offence as in the said Act is mentioned and in which the money or property stolen shall not exceed in value the sum of five shillings and upon conviction thereof such person shall be liable to be sentenced to imprisonment in some common gaol or house of correction with or without hard labor or to be kept to hard labor on the roads or other public works of the Colony at the discretion of the Justices for periods not exceeding six calendar months or shall in the discretion of such Justices forfeit and pay such sum not exceeding twenty shillings as the said Justices shall adjudge.

Summary Jurisdiction extended to larcenies of less than five shillings by persons of all ages.

3. One of the Justices before whom any person shall be charged and proceeded against under this Act or the hereinbefore mentioned Act before such person shall be asked whether he or she has any cause to shew why he or she should not be convicted shall say to the person so charged these words or words to the like effect :—“ We shall have “ to hear what you wish to say in answer to the charge against you “ but if you wish the charge to be tried by a Jury you must object “ now to our deciding upon it at once ” and if such person or a parent of such person if under the age of sixteen shall then object the Justices shall proceed with the charge as if the said Acts had not been passed.

Option given to be tried by Jury.