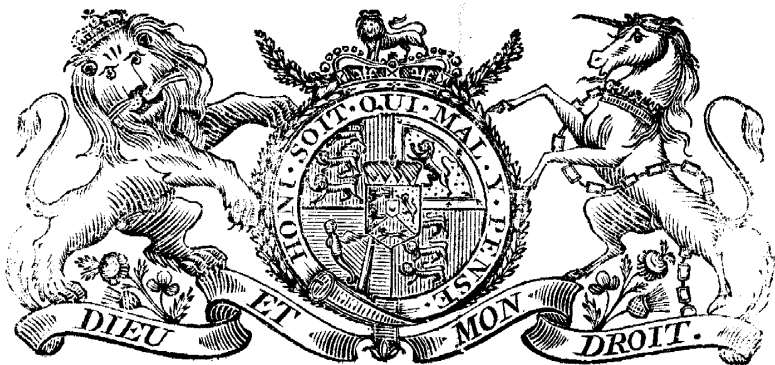


1837



IN THE SEVENTH YEAR OF  
HIS MAJESTY WILLIAM THE FOURTH.

**No. 1.**

For the Establishment of Courts of General or Quarter and Petty Sessions in His Majesty's Province of South Australia.

WHEREAS it is necessary for the order and well-being of His Majesty's Province of South Australia that Courts of General or Quarter and Petty Sessions be established within the same

ENACTED by His Excellency JOHN HINDMARSH, Knight of the Guelphic Order, Governor and Commander-in-Chief of the Province, by and with the advice of the Legislative Council of the Province, that it is to say—

Courts of General or Quarter Sessions for the said Province, or any part thereof, shall be holden, and the same are hereby authorised to be holden, at such times and places as the Governor in Council by proclamation shall appoint.

Governor to appoint time and place for holding General Sessions.

the said Courts of General or Quarter Sessions shall have power to take cognizance of all matters and things cognizable in Courts of General or Quarter Sessions in England so far as the circumstances and condition of the Province shall require and admit and of such matters and things as may be necessary to give effect to any future Acts of the Council of the Province.

General Sessions to have same power as in England.

That the said Courts of General or Quarter Sessions shall have authority, and power and authority is hereby given to them, to try in a summary manner of all crimes and misdemeanors and offences the description not punishable with death, which shall or may be committed in the said Province.

General Sessions to have cognizance of all crimes, &c., not punishable with death.

IV. That

Repealed by Act. 5/50

Justices members of Court of Sessions.

IV. That all Magistrates or Justices of the Peace for the said Province shall be and are hereby constituted and appointed Members of and in the said Courts of General or Quarter Sessions.

Petty Sessions may be holden.

V. That Courts of Petty Sessions shall and may be holden at such places as may be necessary before two or more of His Majesty's Justices of the Peace for the said Province, or before any two or more Majesty's Justices of the Peace for the district in which such Courts of Petty Sessions may be held respectively.

Petty Sessions shall have cognizance of all misdemeanors, &c., not punishable with death or transportation.

VI. That such Courts of Petty Sessions shall have cognizance of misdemeanors and offences not punishable with death or transportation power is hereby given to them to inflict penalties or fines to an amount not exceeding Twenty pounds sterling, and to punish by imprisonment in a prison or house of correction in solitary confinement or otherwise, at the discretion of the Magistrates, for any term not exceeding calendar months.

Rules and forms and fees to be settled by General Sessions and approved of by Governor.

VII. That the said Courts of General or Quarter Sessions shall from time to time settle such forms of process and such rules of practice as shall be necessary for the conduct and dispatch of business in the same and Courts of Petty Sessions throughout the Province, and shall appoint reasonable fees to be taken as shall seem necessary and proper for the business of the said Courts with the most convenience to the parties and least expence to the parties concerned; and that such rules and forms shall be approved of by the Governor of the said Province in Council, shall be observed and followed, and such fees paid accordingly and no other.

(Signed) J. HINDMARSH.

January 2nd, 1837.  
Passed in Council,  
GEO. STEVENSON,  
Clerk of Council.

Published by His Excellency's command  
ROBERT GOUGER,  
Colonial Secretary.