



ANNO QUADRAGESIMO QUARTO ET QUADRAGESIMO QUINTO

VICTORIÆ REGINÆ.

A.D. 1881.

No. 209.

An Act to amend the "Imprint Act of 1863."

[Assented to, November 18th, 1881.]

WHEREAS it is desirable to amend the "Imprint Act of 1863," Preamble.
by providing means for the recovery of penalties thereunder—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

1. Section 6 of the "Imprint Act of 1863" is hereby repealed. Repeal.

2. Every proceeding under the "Imprint Act of 1863," in respect of any omission, default, neglect, act, or offence to which any penalty is attached shall be heard and determined in a summary way by any Special Magistrate or two Justices of the Peace under the provisions of an Ordinance, No. 6 of 1850, "To Facilitate the Performance of the Duties of Justices of the Peace out of Sessions with respect to Summary Convictions and Orders," or of any Act hereafter to be in force relating to the duties of Justices with respect to summary convictions and orders, and all convictions and orders may be enforced as in the said Ordinance, or in any such Act hereafter to be in force is or may be provided. Penalties may be recovered in a summary way.

3. There shall be an appeal from any conviction by any Special Magistrate or Justices for any offence against the "Imprint Act of 1863," or from any order dismissing any information, which appeal shall be to the Local Court of Adelaide of Full Jurisdiction only, and the proceedings on such appeal shall be conducted in manner appointed Appeal to Adelaide Local Court of Full Jurisdiction.

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appointed by the said Ordinance, No. 6 of 1850, for appeals to Local Courts, or any Act hereinafter to be in force regulating such appeals; but the said Local Court of Adelaide may make such order as to the payment of the costs of appeal as it shall think fit, although such costs may exceed the sum of Ten Pounds.

Local Court, upon hearing of appeal, may state special case.

4. The said Local Court of Adelaide, upon the hearing of any such appeal, may state one or more special case or cases for the opinion of the Supreme Court, and the Supreme Court shall hear and decide such special case or cases according to the practice of the Supreme Court on special cases, and the Supreme Court shall make order as to costs of any special case as to the said Court shall appear just; and any Justices or the Local Court of Adelaide shall make an order in respect to the matters referred to the Supreme Court in conformity with the certificate of the said Supreme Court, which order of the Justices or Local Court shall be expressed in manner provided for the enforcement of orders of Justices under the said Ordinance, No. 6 of 1850, or other Act as aforesaid; and, save as herein provided, no order or proceeding of any Special Magistrate or Justices, or of the Local Court of Adelaide, made under the authority of this Act, shall be appealed against, or removed by *certiorari* or otherwise into the Supreme Court of the said province.

Incorporation.

5. This Act and the "Imprint Act of 1863," except so far as the latter is altered by this Act, shall be incorporated and read as one Act.

Short title.

6. This Act may be for all purposes cited as the "Imprint Amendment Act, 1881."

In the name and on behalf of Her Majesty, I hereby assent to this Bill:

WM. F. DRUMMOND JERVOIS, Governor.