

ACT No. XVIII OF 1859.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 25th July 1859.)

*An Act to amend the law relating to offences declared to be punishable on conviction before a Magistrate.*

WHEREAS it is expedient to amend the law relating to offences declared to be punishable on conviction before a Magistrate; It is enacted as follows:—

Preamble.

I. If any offence which by any Act of the Governor General in Council heretofore passed is declared to be punishable upon conviction by a Magistrate shall be committed by a European British subject beyond the local limits of the jurisdiction of Her Majesty's Supreme Courts of Judicature, the offender, if not otherwise punishable, shall be liable, upon conviction before one of the said Supreme Courts of Judicature, to the punishment to which by such Act the offender is declared to be liable upon conviction before a Magistrate.

British subjects how punishable for offences which are by law made punishable in the Mofussil upon conviction by a Magistrate.

II. If any offence which by any Act of the Governor General in Council heretofore passed is declared to be punishable upon conviction by a Magistrate shall be committed by any person within the local limits of the jurisdiction of any Court of Judicature established by Royal Charter, the offender, if not otherwise punishable, shall be liable upon conviction before such Court to the punishment to which by such

When such offences are committed within the local limits of the jurisdiction of Her Majesty's Courts.

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by such Act the offender is declared to be liable upon conviction before a Magistrate.

III. Nothing in this Act shall extend to any case in which jurisdiction is expressly given to a Justice of the Peace to convict the offender.

Jurisdiction expressly given to Justice of the Peace not to be affected.

IV. Whenever in any Act heretofore passed by the Governor General in Council the word "Magistrate" is declared to include a Justice of the Peace, such Justice of the Peace shall not by virtue of such Act be deemed to have jurisdiction to punish any offence unless the same shall be committed within the local limits of the jurisdiction of any of the Courts of Judicature established by Royal Charter.

Construction of the word "Magistrate" in certain Acts.