



ANNO VICESIMO QUARTO ET VICESIMO QUINTO

VICTORIÆ REGINÆ.

A.D. 1861.

No. 2.

An Act to amend "An Act for consolidating the Statute Law in force in South Australia relating to Criminal Procedure by Indictment, or Information by the Attorney-General, by virtue of an Act No. 10, of the year 1852, intituled 'An Act to provide for the trial of offenders without the intervention of Grand Juries.'"

[Assented to, 30th August, 1861.]

WHEREAS doubts are entertained as to the validity of the Preamble. second Section of an Act No. 6, of 1859, intituled "An Act for consolidating the Statute Law in force in South Australia relating to Criminal procedure by indictment, or information by the Attorney-General, by virtue of the Act No. 10, of the year 1852, intituled 'An Act to provide for the trial of offenders without the intervention of Grand Juries;'" and it is desirable to repeal the said clause, and to make other provisions in lieu thereof: And whereas, by an Act of the Imperial Parliament, passed in the Session of Parliament held in the 23rd and 24th year of the Reign of Her Majesty, chapter 122, intituled "An Act to enable the Legislatures of Her Majesty's possessions abroad, to make enactments similar to the enactment of the Act 9th George the Fourth, chapter 31, section 8," the Legislature of the Province of South Australia was enabled to make the enactment hereinafter contained—Be it therefore Enacted, by the Governor-in-Chief 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 Section 2 of the said Act No. 6, of 1859, is hereby repealed.

B

2. Where

Repeal of clause 2, of the Act of No. 6, of 1859.

Provision for the trial and punishment of murder, when the cause of death only happens in South Australia.

2. Where any person being feloniously stricken, poisoned, or otherwise hurt at any place within the said Province, shall die of such stroke, poisoning, or hurt, upon the sea or at any place out of the limits of the said Province, every offence committed in respect of any such case, whether the same shall amount to the offence of murder, or of manslaughter, or of being accessory before the fact to murder, or after the fact to murder or manslaughter, may be dealt with, inquired of, tried, determined, and punished in the said Province, in the same manner in all respects as if the offence had been wholly committed within the said Province.

In the name and on behalf of the Queen I hereby assent to this Act.

RICHARD GRAVES MACDONNELL,
Governor.

Government House, Adelaide,
30th August, 1861.