

New Zealand.

ANNO TRICESIMO PRIMO

V I C T O R I Æ R E G I N Æ .

No. 8.

**AN ACT to repeal certain enactments which
have been consolidated in several Acts
of the present Session relating to
Indictable Offences and other matters.**
[10th October 1867.]

WHEREAS by six several Acts of the present session of Parliament relating respectively to offences against the person malicious injuries to property larceny forgery coining and accessories and abettors divers Acts and parts of Acts have been consolidated and amended and it is expedient to repeal the enactments so consolidated and amended and certain other enactments

Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

1. The Short Title of this Act shall be “The Indictable Offences Acts Repeal Act 1867.”

Short Title.

2. The several Acts and parts of Acts of the Imperial Parliament in Schedule A. hereto annexed shall from and after the last day of October one thousand eight hundred and sixty-seven cease to operate or be of any force in the Colony and the Act of the General Assembly of New Zealand intituled “An Act to declare the Laws of England so far as applicable to the circumstances of the Colony to have been in force therein on and after the fourteenth day of January 1840” so far (but only so far) as such last-mentioned Act enacts or declares that any of the said Acts or parts of Acts of the Imperial Parliament shall be deemed and taken to have been in force in the Colony on and after the fourteenth day of January one thousand eight hundred and forty and be continued to be applied therein in the administration of justice shall from and after the last day of October in the present year be repealed but shall continue in force until and throughout that day.

Repeal of Imperial Acts and parts of Acts passed prior to 14th January 1840 and mentioned in Schedule A.

3. The several Acts and Ordinances and parts of Acts and Ordinances in the first and second parts respectively of the Schedule B. hereto annexed shall continue in force until and throughout the last day of October in the present year and shall from and after that day be repealed.

Repeal of Acts and Ordinances and parts of Acts and Ordinances mentioned in Schedule B.

4. Provided also that every offence which shall have been wholly or partly committed against any of the said Acts or Ordinances or parts of Acts or Ordinances mentioned in either of the said Schedules before this Act comes into operation shall be dealt with inquired of tried determined and punished and every penalty in respect of any such offence shall be recovered in the same manner as if the said Acts and Ordinances and parts of Acts and Ordinances had not ceased to

Repeal not to affect offences &c. committed before the commencement of this Act.

Indictable Offences Acts Repeal.

operate or been repealed and that every act duly done and every warrant and other instrument duly made or granted before this Act comes into operation shall continue and be of the same force and effect as if the said Acts and Ordinances and parts of Acts and Ordinances had not ceased to operate or been repealed and that every right liability privilege and protection in respect of any matter or thing committed or done before this Act comes into operation shall continue and be of the same force and effect as if the said Acts and Ordinances and parts of Acts and Ordinances had not ceased to operate or been repealed and that every action prosecution and other proceeding which shall have been commenced before this Act comes into operation or shall thereafter be commenced in respect of any such matter or thing may be prosecuted continued and defended in the same manner as if the said Acts and Ordinances and parts of Acts and Ordinances had not ceased to operate or been repealed.

SCHEDULE A.

References to Act.	Title of Act.	Extent of Repeal.
37 Geo. III. c. 126	An Act to prevent the counterfeiting any copper coin in this realm made or to be made current by proclamation or any foreign gold or silver coin and to prevent the bringing into this realm or uttering any counterfeit foreign gold or silver coin	The whole.
41 Geo. III. c. 57	An Act for the better prevention of the forgery of the notes and bills of exchange of persons carrying on the business of bankers	The whole.
43 Geo. III. c. 139	An Act for preventing the forging and counterfeiting of foreign bills of exchange and of foreign promissory notes and orders for the payment of money and for preventing the counterfeiting of foreign copper money	The whole.
1 Geo. IV. c. 92	An Act for the prevention of forging and counterfeiting of bank notes	Sections one and two.
4 Geo. IV. c. 54	An Act for allowing the benefit of clergy to persons convicted of certain felonies under two Acts of the ninth year of King George the First and of the twenty-seventh year of King George the Second for making better provision for the punishment of persons guilty of sending or delivering threatening letters and of assaults with intent to commit robbery	The whole.
7 Geo. IV. c. 64	An Act for improving the administration of criminal justice in England	Sections nine ten and eleven.
7 and 8 Geo. IV. c. 18	An Act to prohibit the setting spring guns mantraps and other engines calculated to destroy human life or inflict grievous bodily harm	The whole.
7 and 8 Geo. IV. c. 29	An Act for consolidating and amending the laws of England relative to larceny and other offences connected therewith	The whole.

*Indictable Offences Acts Repeal.*SCHEDULE A.—*continued.*

References to Act.	Title of Act.	Extent of Repeal.
7 and 8 Geo. IV. c. 30,	An Act for consolidating and amending the laws in England relative to malicious injuries to property	The whole.
9 Geo. IV. c. 31	An Act for consolidating and amending the statutes in England relative to offences against the person	The whole.
11 Geo. IV. and 1 Wm. IV. c. 66	An Act for reducing into one Act all such forgeries as shall henceforth be punished with death and for otherwise amending the laws relative to forgery	The whole except section twenty-one.
2 and 3 Wm. IV. c. 4	An Act for more effectually preventing embezzlements by persons employed in the public service of His Majesty	The whole.
2 and 3 Wm. IV. c. 34	An Act for consolidating and amending the laws against offences relating to coin	The whole.
2 and 3 Wm. IV. c. 75.	An Act for regulating schools of anatomy	Section sixteen.
2 and 3 Wm. IV. c. 123	An Act for abolishing the punishment of death in certain cases of forgery	The whole.
3 and 4 Wm. IV. c. 44.	An Act to repeal so much of two Acts of the seventh and eighth years and the ninth year of King George the Fourth as inflicts the punishment of death upon persons breaking entering and stealing in a dwelling house also for giving power to the Judges to add to the punishment of transportation for life in certain cases of forgery and in certain other cases	The whole.
4 and 5 Wm. IV. c. 26	An Act to abolish the practice of hanging the bodies of criminals in chains	Section two.
5 and 6 Wm. IV. c. 81	An Act for abolishing capital punishments in cases of letter stealing and sacrilege	So much as relates to the punishment of any person who shall break and enter any church or chapel and steal therein any chattel or having stolen any chattel in any church or chapel shall break out of the same and to principals in the second degree and accessories in such offences.
6 and 7 Wm. IV. c. 4	An Act to amend the Act of the last session for abolishing capital punishments in cases of letter stealing and sacrilege	So much as alters and amends that part of the 5 and 6 Wm. 4. c. 81 which is hereby repealed.
6 and 7 Wm. IV. c. 30	An Act to repeal so much of two Acts of the ninth and tenth years of King George the Fourth as directs the period of the execution and the prison discipline of persons convicted of the crime of murder	The whole.
7 Wm. IV. and 1 Vict. c. 84	An Act to abolish the punishment of death in cases of forgery	So much of sections one and three as relates to the forging altering offering uttering disposing of or putting off any will testament codicil or testamentary writing

*Indictable Offences Acts Repeal.*SCHEDULE A.—*continued.*

References to Act.	Title of Act.	Extent of Repeal.
		or any power of attorney or other authority therein mentioned and to principals in the second degree and accessories before the fact in such offences and so much of sections two and three as relates to the punishment of any offence created by or formerly punishable under any enactment in this Schedule before mentioned and hereby repealed.
7 Wm. IV. and 1 Vict. c. 85	An Act to amend the laws relating to offences against the person	The whole.
7 Wm. IV. and 1 Vict. c. 86	An Act to amend the laws relating to burglary and stealing in a dwelling-house	The whole.
7 Wm. IV. and 1 Vict. c. 87	An Act to amend the laws relating to robbery and stealing from the person	The whole.
7 Wm. IV. and 1 Vict. c. 89	An Act to amend the laws relating to burning or destroying buildings and ships	The whole.
7 Wm. IV. and 1 Vict. c. 90	An Act to amend the law relative to offences punishable by transportation for life	The whole except section five.

SCHEDULE B.

FIRST PART.

ORDINANCES OF GOVERNOR AND LEGISLATIVE COUNCIL OF NEW ZEALAND.

Session and Number.	Title.	Extent of Repeal.
Session V. No. 8	An Ordinance for bringing into operation within the Colony certain Acts of the Imperial Parliament	So much of the Ordinance and the Schedule thereto as extends and makes applicable to the Colony the following parts of the Act of the Imperial Parliament (4 and 5 Vict. c. 56) intituled "An Act for taking away the punishment of death in certain cases and substituting other punishments in lieu thereof" that is to say—Sections two and three and so much of section one as relates to embezzlements by officers or servants of the Bank of England. Also—So much of the Ordinance and the Schedule thereto as extends and makes applicable to the Colony the Act of the Imperial Parliament (6 Vict. c. 10) intituled "An Act for removing doubts as to the punishment which may be awarded under the provisions of an Act of the fourth and fifth years of Her present Majesty 'for taking away the punishment of death in certain cases' for certain offences therein specified."

*Indictable Offences Acts Repeal.*SCHEDULE B.—*continued.*

SECOND PART.

ACTS OF THE GENERAL ASSEMBLY OF NEW ZEALAND.

Session and Number.	Title.	Extent of Repeal.
Session I. No. 1	An Act for bringing into operation within the Colony certain Acts of the Imperial Parliament	So much of the Act and Schedule thereto as extends and makes applicable to the Colony the following Acts and parts of Acts of the Imperial Parliament, that is to say—The whole of the Act (7 and 8 Vict. c. 62) intituled “An Act to amend the law as to burning farm buildings”—the whole of the Act (9 and 10 Vict. c. 25) intituled “An Act for preventing malicious injuries to persons and property by fire or by explosive or destructive substances”—the whole of the Act (10 and 11 Vict. c. 66) intituled “An Act for extending the provisions of the law respecting threatening letters and accusing parties with a view to extort money” Sections one two and three of the Act (11 and 12 Vict. c. 46) intituled “An Act for the removal of defects in the administration of criminal justice” Sections one two three four six seven eight and nine of the Act (14 and 15 Vict. c. 19) intituled “An Act for the better prevention of offences”—of the 14 and 15 Vict. c. 100 the parts following—Sections four six eight eleven thirteen fourteen fifteen sixteen seventeen and so much of section five as relates to forging or uttering any instrument and so much of section twenty-nine as relates to any indecent assault or any assault occasioning actual bodily harm or any attempt to have carnal knowledge of a girl under twelve years of age.
21 and 22 Vict. No. 28	“The Registration Act 1858”	Section twenty-nine.
24 Vict. No. 5	“The Fraudulent Trustees Act 1860”	The whole.
24 Vict. No. 19	“English Acts Act 1860”	So much thereof and of the Schedule thereto as extends to the Colony of New Zealand the Imperial Act (21 and 22 Vict. c. 47) intituled “An Act to amend the Law of False Pretences.”
24 and 25 Vict. No. 3	“Advances to Agents Act 1861”	Section eight.
29 Vict. No. 22	“The Railway Offences Act 1865”	Sections two three four and five.
29 Vict. No. 37	“The Electric Telegraph Act 1865”	Sections fourteen and fifteen.
30 Vict. No. 19	“The Offences against the Person Act 1866”	The whole.
30 Vict. No. 36	“The Treasury Bills Regulation Act 1866”	Section fifteen.

WELLINGTON, NEW ZEALAND:

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