

*This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and having this day passed as now printed is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.*

*Legislative Council,  
12th July, 1893.*

*Hon. Sir P. A. Buckley.*

DISTRICT COURTS JURISDICTION EXTENSION.

ANALYSIS.

- |                                                                                                                              |                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Title.</p> <p>1. Short Title.</p> <p>2. Commencement of Act.</p> <p>3. Jurisdiction of Courts in civil cases. Repeal.</p> | <p>4. Costs when action might have been brought in inferior Court.</p> <p>5. Interest on judgment to be 6 per cent.</p> <p>6. Jurisdiction of District Courts as to receivers of stolen goods.</p> |
|------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

A BILL INTITULED

AN ACT to extend the Jurisdiction of District Courts in Civil Cases and in certain Criminal Cases. Title.

BE IT 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 is "The District Courts Jurisdiction Extension Act, 1893." Short Title.

2. This Act shall commence and come into operation on the first day of October in the now current year; but nothing herein contained shall be held to affect any action commenced prior to the aforesaid day of commencement. Commencement of Act.

3. Every District Court shall have jurisdiction over all cases of a civil nature, whether legal or equitable, in which the claim or demand (whether the original claim or demand, or a balance after allowing payments on account or the amount of a set-off admitted by the plaintiff) shall not exceed five hundred pounds, and also over all partnership accounts and disputes between partners in which the claim or demand of the plaintiff, or the value of his interest in the property the subject of the action, shall not exceed five hundred pounds. Jurisdiction of Courts in civil cases. Repeal.

Every action shall be brought within the district in which the party sought to be charged resides or carries on business, or is served with the process of the Court, or within the district in which the cause of action arose, either wholly or in some material part.

25 No District Court shall have cognisance of any action in which the title to real estate or the validity of any devise or bequest shall be in question, or the limitations under any will or settlement shall be disputed.

30 Section three of "The Districts Courts Acts Amendment Act, 1888," is hereby repealed.

Costs when action  
might have been  
brought in inferior  
Court.

4. If any plaintiff in an action commenced in the District Court recover less than the sum of fifty pounds, or the value of any chattels recovered is assessed at less than fifty pounds, and the action was one that might have been brought in any Court of inferior jurisdiction to the District Court, the plaintiff shall not be entitled to any greater costs than he would have recovered in the inferior Court, unless the Judge before whom the action was tried shall certify that the case was a proper one to bring in the District Court. 5

Interest on  
judgment to be  
6 per cent.

5. Section seventy of "The District Courts Act, 1858," is hereby amended by the substitution of the word "six" for the word "eight" where these occur in the said section. 10

Jurisdiction of  
District Courts as to  
receivers of stolen  
goods.

6. Notwithstanding anything contained in section four of "The District Courts Criminal Jurisdiction Extension Act, 1870," every District Court which has been declared by the Governor to have jurisdiction in criminal cases shall have cognisance of all felonies and other offences of receiving stolen goods; and for the purpose of giving effect to such jurisdiction section ninety of "The Larceny Act, 1867," shall be construed as if the words "seven years" had been substituted therein in lieu of the words "fourteen years." Sections ninety-one, ninety-two, and ninety-three, and all other necessary provisions of the last-named Act, shall be construed to apply and shall apply to give full effect to the provisions of this section. 15 20

This section is hereby incorporated with and shall be deemed to form part of "The District Courts Criminal Jurisdiction Extension Act, 1870." 25