



Western Australia.

ANNO SEXAGESIMO

VICTORIÆ REGINÆ.

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No. XXVII.

AN ACT to amend the Law of Evidence.

[Assented to, 27th October, 1896.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Evidence Amendment Act, 1896. Short title.

2. WHEREVER, in any part of Her Majesty's dominions, a book is kept of such a public nature as to be admissible in evidence on its mere production from the proper custody, its contents may be proved by an authentic copy or extract, and such copy or extract

Contents of public books may be proved by authentic copies or extracts.  
See 14 & 15 Vic., c. 99.  
(Imp.) s. 14. W.A., 16 Vic., s. 11.

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may be received in evidence of the facts therein stated in any Court or before any person in Western Australia.

Statute of any part of British dominions admissible to prove publicity of book

3. A COPY of a statute purporting to be printed by the printer to the Government of any part of Her Majesty's dominions shall be admitted as evidence that any book is of such a public character as aforesaid.

Copy or extract may be either examined or certified.  
*See Ibid.*

4. A COPY or extract shall be deemed authentic :

(a.) If it be proved by the evidence of a competent witness that he has examined it with the original, and that it is a true copy thereof or extract therefrom ; or

(b.) If it purports to be signed and certified as a true copy or extract by the officer to whose custody the original is intrusted.

Custodians of public books in this Colony to furnish copies or extracts.  
*See Ibid.*

5. EVERY officer to whose custody the original of any book of such a public nature as aforesaid is intrusted in Western Australia, is hereby required to furnish a certified copy of such book or extract therefrom to any person applying at a reasonable time and paying a reasonable sum for the same, not exceeding fourpence for every folio of seventy-two words.

Penalty on certifying falsely.  
*See 14 & 15 Vic., c. 99 (Imp.), s. 15. W.A., 16 Vic., 9, s. 12.*

6. EVERY officer authorised or required by this Act to furnish any certified copies or extracts who, in Western Australia, wilfully certifies any document as being a true copy or extract knowing that the same is not a true copy or extract, as the case may be, shall be guilty of a misdemeanour, and be liable on conviction to imprisonment for not more than eighteen months.

Penalty on forging or tendering forged copy or extract.  
*See 14 & 15 Vic., c. 99 (Imp.), s. 17. W.A., 16 Vic., 9, s. 14.*

7. EVERY person who forges any document in this Act referred to, or any signature or certificate thereon, or alters any material part thereof, or tenders any such document in evidence knowing the same to be forged or altered, shall be guilty of felony, and be liable on conviction to penal servitude for not more than seven years, or to imprisonment, with or without hard labour, for not more than two years.

Copy or extract may be impounded.  
*See Ibid.*

8. WHENEVER any such document as is referred to in this Act has been admitted in evidence by virtue of this Act, the Court or person who shall have admitted the same may, at the request of any party against whom it is admitted, direct it to be impounded and kept in the custody of some officer of the Court or other proper person, for such period, and subject to such conditions, as to the said Court or person shall seem meet.

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9. EVERY person charged with committing any felony under this Act may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence may be charged to have been committed in the place where he shall be apprehended or be in custody, and every accessory to the fact may be dealt with, tried, and, if convicted, sentenced, and his offence may be charged to have been committed in the place in which the principal offender may be tried.

Where offences may  
be charged to have  
been committed.

*See Ibid.*

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

ALEX. C. ONSLOW, Governor's Deputy.