



Western Australia.

ANNO SECUNDO

EDWARDI VII. REGIS.

No. XXIX.

AN ACT to amend the Criminal Code.

[Assented to, 20th December, 1902.]

BE it enacted by the King'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 Criminal Code Amendment Act, 1902.

Short title.

2. SUBSECTION five of section nineteen of the Criminal Code (hereinafter referred to as the Code) is repealed.

Repeal of Sub-section 5 of Section 19.

3. SECTION three hundred and nineteen of the Code is amended by striking out the first paragraph and inserting in lieu thereof:—

Amendment of Section 319.

“ Any person who unlawfully assaults another is liable, on summary conviction, to a fine of Ten pounds, and to payment of the costs of the prosecution, and, in default of payment, to imprisonment with hard labour for six months, unless the fine and costs are sooner paid, or to imprisonment with hard labour for six months in the first instance.”

2° EDWARDI VII., No. 29.

Criminal Code—Amendment.

Repeal of Section
551.

4. SECTION five hundred and fifty-one of the Code is repealed.

Summary trial of
aboriginal natives
on plea of guilty.

5. IF an aboriginal native charged before Justices with any offence not punishable with death pleads guilty, the Justices may deal with the charge summarily.

But no sentence of imprisonment imposed on summary conviction shall exceed three years.

Further amend-
ments: Schedule.

6. THE Code is further amended in the manner indicated in the Schedule to this Act.

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

E. A. STONE, Administrator.

THE SCHEDULE.

Section 6.

In section sixty-five, line sixteen, the word "life" is omitted and the words "fourteen years" inserted.

In section one hundred and thirty-nine, line two, the words "or authorised" are omitted and, in line three, the words "wilfully and perversely and" are inserted after the word "bail."

In section one hundred and eighty-seven the words "two hundred and twelve" in the last paragraph are omitted, and the words "one hundred and eighty-five" are inserted.

In section two hundred and two the words "sections one hundred and eighty-five to one hundred and ninety-three, inclusive, of" are inserted after the word "in."

In section three hundred and twenty-five the words "The offender cannot be arrested without warrant" are omitted.

In section five hundred, subsection three, line six, the word "prescriptions" is struck out and the word "descriptions" inserted.

In section five hundred and eight, line four, the words "an acknowledgment" are inserted after the word "acknowledgment."

In section five hundred and thirty-nine, line two, "furtherance" is struck out and the word "furtherance" is inserted.

In section five hundred and fifty-two the words "or for sentence" are inserted after the words "committed for trial."

In section six hundred and ninety-six the words "and the last preceding section shall not apply" are added at the end of the section.

In section seven hundred and seven the words "The Court may, in its discretion, make the like order for" are omitted, and the words "The Attorney General may, in his discretion, order" are inserted.

In section seven hundred and nine, lines two and five, the word "permanently" is omitted and the word "usually" inserted; in lines three and six the word "twenty" is struck out and the word "ten" inserted; and the words "a certificate under this section is conclusive evidence of the facts stated" are added at the end of the section.