

ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

****

CAP. LVII.

An Act for the Prevention and Punishment of Offences committed by His Majesty's Subjects within certain Territories adjacent to the Colony of the *Cape of Good Hope*. [13th *August* 1836.]

WHEREAS the Inhabitants of the Territories adjacent to the Colony of the *Cape of Good Hope* to the Southward of the Twenty-fifth Degree of South Latitude being in an uncivilized State, Offences against the Persons and Property of such Inhabitants and others are frequently committed by His Majesty's Subjects within such Territories with Impunity; for Remedy thereof be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Laws which are now or which shall hereafter be in force in the Colony of the *Cape of Good Hope* for the Punishment of Crimes therein committed shall be and the same are hereby extended and declared applicable to all His Majesty's Subjects within any Territory adjacent to the said Colony and being to the Southward of the Twenty-fifth Degree of South Latitude, and that every Crime or Offence committed by any of His Majesty's Subjects within any such Territory in contravention of any such Laws shall be cognizable in any such Courts, and shall be inquired of, tried, and prosecuted, and on Conviction punished, in such and the same Manner as if the same had been committed within the said Colony.

Laws in force at the Cape of Good Hope for Punishment of Crimes extended to British Subjects in adjacent Territories.

Governors may address Commissions to Persons to act as Magistrates in such Territories.

II. And whereas it is necessary to prevent as far as may be the Commission of Crimes by His Majesty's Subjects within such Territories as aforesaid, and to provide for the Arrest, Commitment, and bringing to Punishment of any of His Majesty's Subjects by whom any such Crimes may be perpetrated; be it therefore enacted, That it shall be lawful for the Governor of the said Colony to address to any One or more of His Majesty's Subjects being within or about to resort to any such Territories as aforesaid One or more Commission or Commissions, authorizing him or them to exercise within such Territories the Office of a Magistrate for the Purpose of preventing the Perpetration therein by any of His Majesty's Subjects of any Crimes or Offences, and for the Purpose of arresting, committing to Custody, and bringing to Trial before such Courts as aforesaid any of His Majesty's Subjects charged on sufficient Evidence before him or them with the Commission of any such Crimes or Offences within any such Territories; and it shall also be lawful to the Governor of the said Colony, by any such Commission or Commissions as aforesaid, to define with all practicable and convenient Precision the local Limits within which the Jurisdiction of any such Magistrate or Magistrates shall be so exercised, and to which it shall so extend; and within the Limits so to be defined as aforesaid every such Magistrate shall have, exercise, and enjoy all such Powers and Authorities over and in reference to His Majesty's Subjects inhabiting or being within the same as shall by any such Commission or Commissions be specially granted: Provided always, that no such Powers or Authorities shall be so granted by any such Commission or Commissions, save only such as shall be necessary for accomplishing the Purposes aforesaid with Promptitude and Effect.

Powers of such Magistrates.

Commissions to be in force only during the King's Pleasure.

III. And be it further enacted, That all such Commissions as aforesaid shall be made to continue in force only during His Majesty's Pleasure; and the Governor for the Time being of the said Colony shall be and he is hereby bound and required to transmit a Copy of every such Commission by the earliest Opportunity to His Majesty, through One of His Majesty's Principal Secretaries of State, for His Approbation or Disallowance.

Act not to extend constructively to His Majesty's Dominions.

IV. And be it further enacted, That nothing herein or in any such Commission or Commissions contained shall extend or be construed to extend to invest His Majesty, His Heirs or Successors, with any Claim or Title whatsoever to Dominion or Sovereignty over any such Territories as aforesaid, or to derogate from the Rights of the Tribes or People inhabiting such Territories, or of Chiefs or Rulers, to such Sovereignty or Dominion.

Person administering Government to be deemed the Governor.

V. And be it further enacted and declared, That for the Purposes of this Act any Person lawfully administering the Government of the said Colony shall be deemed and taken to be the Governor thereof.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1836.