

Official Documents Evidence.

been in force on and after the thirty-first day of December, in the year one thousand eight hundred and fifty-four.

force since 31st Dec., 1854.

SCHEDULE.

| Statute. | Title. |
|---------------------|--|
| 15 Vict. c. 24 ... | "An Act for the amendment of an Act passed in the first year of the reign of Her Majesty Queen Victoria, intituled ' <i>An Act for the Amendment of the Laws with respect to Wills.</i> '" |
| 21 & 22 Vict. c. 47 | "An Act to amend the Law of False Pretences." |
| 22 Vict. c. 33 ... | "An Act to enable Coroners in England to admit to Bail persons charged with Manslaughter." |

No. XX.

AN ACT to facilitate the Admission in Evidence of certain Official and other Documents.

[27th October, 1860.]

OFFICIAL
DOCUMENTS
EVIDENCE.

WHEREAS it is expedient to facilitate the admission in evidence of certain official and public documents :

Preamble.

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 shall be "*The Official Documents Evidence Act, 1860.*"

Short Title.

2. Judicial notice shall be taken by all Courts, Judges, Justices, Commissioners, and other officers and persons judicially acting, of the impression of the Public Seal of the Colony and of the Public Seals of the late Provinces of New Ulster and New Munster respectively, without evidence of such Seal having been impressed or any other evidence relating thereto.

Seal of the Colony.

3. Whenever by any Ordinance of the Legislative Council or by any Act of the General Assembly, or by any Act or Ordinance of the Superintendent and Provincial Council of any Province of New Zealand, now or hereinafter to be in force, any seal or stamp has been or shall be authorized to be used by any Court, officer, body corporate, or any person whomsoever, judicial notice shall be taken of the impression of such seal or stamp without evidence of such seal or stamp having been impressed or any other evidence relating thereto.

Official seals &c.
receivable in evidence.

4. All copies of Private and Local and Personal Acts of the General Assembly, not Public Acts, if purporting to be printed under the authority of the New Zealand Government by the Government Printers for the time being, and all copies of the Journals of either House of the General Assembly, and of Proclamations of the Governor, purporting to be printed by such printers, shall be admitted as evidence thereof respectively by all Courts, Judges, Justices, Commissioners, and other officers and persons judicially acting, without any proof being given that such copies were so printed.

Copies of Private
Acts &c. printed by
Government Printers
receivable as evidence.

5. Whenever by any Act or Ordinance aforesaid now in force or hereafter to be in force, any certificate official or public document or document or proceeding of any Corporation or Joint Stock or other Company, or any certified copy of any document by-law entry in any register or other book or of any other proceeding, shall be receivable in evidence of any particular in any Court of Justice, or before any legal tribunal,

Public documents
purporting to be duly
sealed &c. receivable
in evidence.

Official Documents Evidence.

tribunal, or either House of the General Assembly, or any Committee of either House, or in any judicial proceeding, the same shall respectively be admitted in evidence provided they respectively purport to be sealed or impressed with a stamp or sealed and signed or signed alone as required, or impressed with a stamp and signed as directed by the respective Acts made or to be hereafter made, without any proof of the seal or stamp, where a seal or stamp is necessary, or of the signature or of the official character of the person appearing to have signed the same, and without any further proof thereof in every case in which the original record could have been received in evidence.

Courts &c. to take
judicial notice of
signatures of Judges
&c.

6. All Courts, Judges, Justices, Commissioners, and other officers and persons judicially acting shall henceforth take judicial notice of the signature of any of the Judges of the Supreme Court, provided such signature be attached or appended to any decree order certificate or other judicial or official document.

Provincial Laws and
Proclamations of
Superintendents
printed by Govern-
ment Printers ad-
missible in evidence.

7. All copies of Acts or Ordinances heretofore made or ordained or hereafter to be made or ordained by the Superintendent and Provincial Council of any Province now or hereafter to be constituted, and all copies of Proclamations and Notifications under any Act or Ordinance of any Legislature made by the Superintendent of any such Province purporting to be printed under the authority of the Government of such Province by the printers for the time being to such Government, shall be admitted as evidence of such Acts Ordinances Proclamations and Notifications respectively by all Courts, Judges, Justices, Commissioners, and other officers and persons judicially acting, without any proof being given that such copies were so printed.

Offences of forgery
to be felony.

8. If any person is guilty of the following offences or any of them, that is to say,—

- (1.) Forges or procures to be forged or assists in forging any such seal stamp impression or signature as aforesaid.
- (2.) Tenders in evidence any such certificate official or public document or document or proceeding of any Corporation or Joint Stock or other Company, or any certified copy of any document by-law entry in any Register or other book, or of any other proceeding as aforesaid, with a false or counterfeit seal stamp impression or signature thereto, knowing the same to be false or counterfeit, whether such seal stamp impression or signature be those of or relating to any Corporation or Company already established or to any Corporation or Company to be hereafter established, or tenders in evidence any decree order certificate or other judicial or official document with a false or counterfeit signature of any Judge as aforesaid thereto, knowing the same to be false or counterfeit.
- (3.) Stamps or procures to be stamped or assists in stamping any such certificate official or public document or document or proceeding of any Corporation or Joint Stock or other Company, or any certified copy of any document by-law entry in any register or other book, or any proceeding as aforesaid, with any such forged seal or stamp as aforesaid, knowing the same to be forged.
- (4.) Prints or procures to be printed any copy of any Private or Local and Personal Act, or of the Journals of either House of the General Assembly, or of any Proclamation of the Governor, which copy shall falsely purport to have been printed by the Government Printers for the time being.
- (5.) Prints or procures to be printed any copy of any Act or Ordinance of the Superintendent and Provincial Council of

any

Savings Banks Act Amendment.

any Province, or of any Proclamation or Notification made by the Superintendent of any Province, under any Act or Ordinance of any Legislature, which copy shall falsely purport to have been printed, under the authority of the Government of such Province, by the printers for the time being to such Government.

- (6.) Tenders in evidence any such copy as aforesaid, knowing that the same was not printed by the persons by whom it so purports to have been printed.

Such person shall be guilty of felony.

9. Any person convicted of felony under this Act shall be liable, at the discretion of the Court by which he is convicted, to penal servitude for any term not exceeding ten years, or to imprisonment for any term not exceeding two years, with or without hard labour.

Punishment for felony.

10. Whenever any such document as before mentioned shall have been received in evidence by virtue of this Act, the Court, Judge, Justice, Commissioner, or other officer or person judicially acting, who shall have admitted the same, shall, on the request of any party against whom the same is so received, be authorized at its or his own discretion to direct that the same shall be impounded and kept in the custody of some officer of the Court or other proper person until further order touching the same shall be given by such Judge, Justice, Commissioner, officer, or person judicially acting who shall have ordered the same to be impounded, or by some one of the Judges of the Supreme Court, on application being made for that purpose.

Documents may be impounded.

No. XXI.

AN ACT to amend "*The Savings Banks Act, 1858.*"
[27th October, 1860.]

SAVINGS BANKS ACT
AMENDMENT.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "*The Savings Banks Act, 1858,*" the Governor in Council was empowered by clause thirty-two of the said Act, on receiving a petition to that effect signed by not less than two-thirds of the Trustees of any Savings Bank, by writing under his hand directed to the Vice-President of such Bank and published in the Government *Gazette*, to empower the Trustees of the said Bank, not being less than four, attending at any meeting or meetings appointed for that purpose, to discount at a rate of interest not less than eight per centum per annum any bill of exchange or promissory note for any amount not exceeding one hundred pounds, provided the same shall bear the names of not less than two persons, not being Trustees of the said Bank, to be approved by such Trustees so attending as aforesaid or the major part of them, and be payable at a period not exceeding three calendar months from the time when the same shall be discounted: Provided that the total amount of funds invested in such promissory notes or bills of exchange shall at no time exceed one-half of the whole deposits: And whereas the Trustees of the Savings Banks of the Provinces of Taranaki and Canterbury have at various times discounted bills of exchange or promissory notes in accordance with the powers conferred by the said Act: And whereas it is expedient, as regards the Savings Banks in the Provinces of Taranaki and Canterbury, to limit the powers of the Trustees of the said last-named Banks as regards discounting

Preamble.