answer to the suggested right of Quarter Sessions to dispose ! of the indictment. He said that when proceedings were first taken under section 12 of the Summary Jurisdiction Act, and the option was given to the accused to be tried summarily, and the Justices had embarked on the inquiry, a state of things arose which made it beyond their power to change their minds, and to do more than they could do summarily—namely, either convict or discharge. He based his argument on sections 12 and 27, and said that the com-bined effect of the sections was that the procedure was so altered by the decision to deal with the case summarily that the case ought not be allowed to be dealt with in any other other way. He (the learned Judge) could not see why anything which might be elicited in the course of the defence of a case being tried summarily should not form part of all the circumstances of the case. It must often happen that a case was at first treated as one of no particular importance, and that the accused, perhaps encouraged by that circumstance, went into the witness-box and gave evidence, setting up in the course of it his own good character. Thereupon he might be cross-examined under the recent Act, and it might be shown that he was an old offender. It seemed almost impossible to contend that that was not a circumstance which the Justices ought to take into their consideration. It was not disputed that in some cases under certain statutes their discretion still existed in the above circumstances. There was nothing to show what had been called a bargain between the Justices and the accused, that if the latter elected to be tried summarily, the former would deal with him summarily under all circumstances, and take the case out of the jurisdiction of another Court. He thought, therefore, that the Justices had jurisdiction to exercise their discretion up to the time of passing sentence.

The point which pressed him for a time was the fact that

The point which pressed that for a time was the late that the evidence had been taken under circumstances in which it would not have been taken had the case gone on without any expression of opinion that it should be heard summarily. It was said that the accused might have given his own evidence, for the usual caution that he need not say anything, but that if he did it might be used in evidence against him would have been given. But it was important to remember that the statute which made that caution necessary was passed before prisoners were allowed to give evidence in their own behalf. Section 3 of the Act of 1867 was passed to enable the defence to have witnesses called and their evidence put on record. Therefore this afforded very little argument in support of the contention that there was a bargain. Forgetfulness of the fact by the Justices that they might change their minds and their consequent mission to caution the accused before he gave evidence could not be regarded as more than an irregularity. He did not think that there had been such an alteration in the position of the accused as made it unjust that he should be committed for trial. The Justices' discretion existed until all the circumstances of the case were before them, and it was no answer to that committal that they had exercised their discretion too soon. Continuances must be entered, and the Quarter Sessions directed to try the case.

MR. JUSTICE PICKFORD and MR. JUSTICE AVORY delivered

judgments to the same effect.

[Solicitors—J. N. Mason, agent for C. E. Longmore, Hertford; Director of Public Prosecutions; and T. Duerdin Dutton.]

## EXTRACTS FROM NEW ZEALAND GAZETTE.

(From Gazette, 1911, pages 1048, 1057, and 1058.) Regulations for Deer-shooting, Hawke's Bay.

## ISLINGTON. Governor.

IN exercise of the powers vested in me by the Animals
Protection Act. 1908 (hereinstein Act"), I, John Poynder Dickson-Poynder, Baron Islington, the Governor of the Dominion of New Zealand, do hereby make the following regulations prescribing the deer-shooting season in the Hawke's Bay Acclimatization District, com-prising the Counties of Hawke's Bay, Patangata, Woodville, Waipawa, Dannevirke, Waipukurau, and Weber, and part of the County of Wairoa, and the conditions affecting the same, and also the form of license and the fee payable therefor.

## REGULATIONS.

1. RED deer (stags only) may be taken or killed within the Hawke's Bay Acclimatization District from the 1st day of April, 1911, to the 13th day of May, 1911, both days inclusive.

2. Licenses to take or kill such deer may be issued by the Chief Postmaster at Napier, on payment of a license fee of £4, in the form prescribed in the Schedule hereto, and subject to the said Act and these regulations: Provided

that not more than one such license shall be issued to the same person.

3. No licensee shall take or kill more than three stags, and no stag shall be killed carrying antlers with less than

ten points.

4. No hind or fawn shall be taken or killed on any pretext whatever; and no licensee shall allow any dog to accompany either himself or any attendant he may have with him.

5. Nothing herein contained shall extend to authorizing

any person to sell any deer or portion thereof.

6. Any person committing a breach of any of these regulations shall be liable on conviction to a fine not exceeding

SCHEDULE.

No. . License to take or kill Game (Deer).

, of , having this day paid the sum of , is hereby authorized to take or kill deer points, within the Hawke's (stags), of not less than Bay Acclimatization District, from the 1911, to the day of day of 1911, to the day of , 1911 (both days inclusive), subject to the provisions of the Animals Protection Act, 1908, and all regulations thereunder in force within the said district.

, this Dated at day of , 1911.

Chief Postmaster,

As witness the hand of His Excellency the Governor, this seventeenth day of March, one thousand nine hundred and eleven.

> D. BUDDO, Minister of Internal Affairs.

Inspector of Weights and Measures, Borough of Campbelltown, &c., appointed.

Office of the Minister of Internal Affairs, H 18 Excellency the Governor has been pleased to appoint Wellington, 1st March, 1911. appoint

Constable Worthy Edward Packer

to be an Inspector of Weights and Measures under the Weights and Measures Act, 1908, for the Boroughs of Campbelltown, Gore, Invercargill, Mataura, South Invercargill, Winton, and Riverton, and the Counties of Southland, Wallace, Fiord, and Stewart Island, vice Constable Adam Kerse, transferred.

D. BUDDO, Minister of Internal Affairs.

Inspectors of Factories appointed.

Department of Labour, Wellington, 22nd March, 1911. 18 Excellency the Governor has been pleased to appoint

Constable ROBERT PATTERSON BOAG,

JOSEPH JAMES GOULDING.

ALEXANDER JAMES McConachie, and 22

HENRY JAMES MONTGOMERY

to be Inspectors under the Factories Act, 1908. appointments are dated the 17th day of March, 1911.

J. A. MILLAR, Minister of Labour.

Clerks of Courts, &c., appointed.

Department of Justice, Wellington, 15th March, 1911. IS Excellency the Governor has been pleased to appoint

Constable Ernest Booth to be Clerk of the Magistrate's Court at Temuka and Clerk of the Licensing Committee for the District of Geraldine, from the 1st day of March, 1911, vice Constable J. Gillespie; and

Constable Henry Cornelius Carmody to be Clerk of the Magistrate's Court at Carterton, from the 1st day of January, 1911, vice H. Salmon.

> GEO. FOWLDS, Acting Minister of Justice.