

Title of Act or Ordinance, and subject-matter of Sections.	Remarks.
AUCKLAND—continued.	
<i>The Highways Act, 1867—continued.</i>	
Sec. 26. Appeal may be made to nearest Resident Magistrate or Justices of the Peace.	<i>Ultra vires.</i> (Bagge v. Sinclair.)
Sec. 27. Costs to be awarded by Resident Magistrate or Justices of the Peace.	Ditto.
Sec. 30. Giving power to Collector to sue in summary way before Resident Magistrate, and to recover by distress.	Ditto.
Sec. 37. No Resident Magistrate or Justice of the Peace to be incapacitated from doing any act by reason of interest.	<i>Ultra vires</i> , as altering the practice of the Resident Magistrate's Court.
Sec. 49. Giving power to Superintendent to impose and levy rates.	Objectionable so far as it incorporates clauses to which objection has already been made.
<i>The Thistle Act, 1858.</i> No. 5, Sess. VIII.*	
Sec. 6. Confers power on Resident Magistrate or two Justices of the Peace to make an order authorizing person appointed under the Act to enter upon land and eradicate thistles, and Resident Magistrate or Justices of the Peace to have power to make order for payment of costs occasioned by eradicating thistles.	<i>Ultra vires.</i> In contravention of 19th section of Constitution Act.
<i>The Impounding Act, 1867.</i> No. 10, Sess. XX.	
Secs. 21, 22. Power to Justice of the Peace to make order to sell cattle.	<i>Ultra vires</i> , altering jurisdiction, practice, and procedure of Resident Magistrate's Court.
Sec. 27. Resident Magistrate, or two Justices of the Peace, have power to summon owner of cattle having trespassed, and to determine matter of complaint.	Ditto.
Sec. 30. Gives power to any Justice of the Peace to replevy.	Ditto.
Sec. 31. Power given to Justices of the Peace to make order as to damages and costs, or delivery of cattle, and as to sale.	Ditto.
<i>The Sheep Act, 1863.</i> No. 14, Sess. XV.	
Sec. 7. Owner of sheep may appeal against decision of Inspector that they are diseased, to the nearest Resident Magistrate, who shall determine same in summary way.	<i>Ultra vires</i> , as altering jurisdiction of Resident Magistrate.
Sec. 21. Imposing penalty not exceeding £5, on every sheep set at large contrary to provisions of Act.	Whether, as it is not clearly provided the setting at large of each sheep is to be a separate offence the provision is not <i>ultra vires</i> , is open to question.
<i>The Diversion of Roads Act, 1863.</i> No. 2, Sess. XV.	
This Act provides for shutting up roads and taking private lands for roads, and compensating owners of lands.	This Act appears now in conflict with the provisions of "The Highways and Water Courses Act, 1858," and "The Compulsory Land Taking Act, 1866;" it should be repealed. The subject is provided for and regulated by those Acts.
<i>The Auckland Municipal Police Act, 1862.</i> No. 10, Sess. XIV.	
Secs. 2, 5, 15. Give jurisdiction to Magistrates to order abatement of nuisances.	<i>Ultra vires.</i>
Sec. 8. Provides that informations or complaints be laid by particular persons.	Doubtful validity, as limiting the number of persons by whom informations should be laid.
<i>The Auckland Rural Police Act, 1866.</i> No. 11, Sess. XIX.	
(Misprinted in Schedule to Act of 1867 as No. 2.	
Sec. 4. Power to Constable to take recognizance.	
Secs. 5, 6. Constable may discharge prisoner if accuser declines to enter into recognizance.	Questionable validity.

* It seems the object of the Provincial Legislature would be obtained by imposing a penalty of say £100 for not eradicating thistles, after notice from some officer or authority empowered.