

SESSIONS AND MAGISTRATES' COURTS.
FOR THE STATES

Perusal of the various Orders constituting Sessions and Magistrates' Courts made by the High Commissioner in the past, under Sections 59 and 76 of the Courts Ordinance 1948 will shew that separate courts have been constituted for every place where such courts sit. Further that no limits of jurisdiction have been laid down.

2. There will shortly be published in the Legal Supplement of the Gazette an Order by the High Commissioner cancelling all previous orders with effect from 1st October, 1955, and constituting with effect from that date one Sessions Court and one Magistrates' Court for each and every State and Settlement, and prescribing the territorial boundaries of such State or Settlement as the territorial jurisdiction of such courts. This is considered to be more satisfactory and correct than the present system. Courts will continue to be held in all places where they are held at present, under the Chief Justice's directions by virtue of Section 59(4) and 76(3). When it is desired to hold court regularly in a new place, the Chief Justice must be asked so to direct.

3. At the same time a direction by the Hon. the Chief Justice will be published in the Gazette which is designed to cover all pending cases which might otherwise be affected by the High Commissioner's order.

4. This proposal, when implemented, will require the provision of new seals, but at first Magistrates will have to carry on with the existing ones for the following reasons. It may be possible in a few months time to procure lever operated metal embossed seals for all subordinate courts. An opportunity to acquire these without heavy expenditure has arisen and is being pursued. If this matures a new prescription under Section 4 of the Courts Ordinance will issue, which would prescribe seals bearing the words "Sessions (or Magistrates) Court, Federation of Malaya" round the edge, with the name of the State or Settlement in the centre. But until these are available, which will be bound to take some time, we shall have to carry on with the present rather unsatisfactory rubber ones. If and when the new High Commissioner's Orders are published, Presidents and Magistrates should inspect the seals in their courts and use any that seem the nearest to the new name of the Court.

5. It will be understood that series of case numbers will continue as at present. Although there may be only one Court for a State or Settlement, there can and must be separate series or numbers of series for the various places where the court sits. For example, instead of "The Sessions Court of Kuala Lumpur" it will be "The Sessions Court of Selangor - Sitting at Kuala Lumpur".

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